SPECIAL WOMEN'S ISSUE
February 17-March 2, 1997

In THESE TIMES

What Women Want . . .



Kim Phillips on day care.

Judy Norsigian on contraceptive choice.

Katharine Greider on child support.

Nina Schuyler on equal protection under the law.

Debbie Nathan on abortion rights.

and what they could do without.

Barbara Ehrenreich on the Super Bowl.

Jennifer Schuessler on breast mania.

Joel Bleifuss on toxic makeup.

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EDITORIAL

WHAM, BAM, THANK YOU MA'AM

Bill Clinton sits in the White House today because tens of millions of women turned out to the polls in November and pulled the lever for him. The so-called gender gap was the widest in recent history: 54 percent of voting women opted for Clinton. If men alone had voted, Bob Dole would now be president.

So how does the president thank women? "So far there's more courting of the Republicans who got defeated than the women who did the job," writes Marie C. Wilson, president of the Ms. Foundation, in a post-election essay in *Tikkun*. No one who was paying attention during Clinton's first four years should have expected anything else. In keeping with his declaration that the era of big government is over, his first-term initiatives on behalf of women consisted of incremental improvements on current policy, most of them perks for middle-class women. Poor women were summarily dumped overboard.

No women's issue commands more of the spotlight—and more clearly divides the two major parties—than abortion rights. To his credit, Clinton vetoed a bill that would have banned late-term abortions. Access to abortion services, however, has eroded, though this grim fact has yet to show up on the media's radar screen. Eighty-four percent of U.S. counties have no abortion provider, and Medicaid won't pay for the procedure, so women who can't afford travel expenses to distant clinics, or even the cost of an abortion, are effectively denied this right.

On another front, Clinton acted to guarantee that new mothers can have an extra day of care in the hospital instead of being tossed out after 24 hours. Yet this benefits only those with health insurance, a group whose share of the population continues to decline. Since 1992, 4 million people have joined the ranks of the uninsured. Now, with re-election behind him, Clinton talks not about expanded health coverage but about cutbacks and strict limits on the growth of Medicare and Medicaid.

Clinton can also take credit for the Family and Medical Leave Act, which allows parents to take up to 12 weeks of unpaid leave after the birth of a child or during a family emergency. But the measure means little to anyone who can't survive three months without a paycheck, or to the 50 percent of the labor force that works for companies with fewer than 50 employees, the current cutoff line. Clinton has done almost nothing to set up affordable day care, the workplace issue most crucial to working women.

Efforts to get deadbeat fathers to pay their child support have also been beefed up. Here, too, there is a class bias. While middle-class women should benefit from the crackdown, this arrangement gives Clinton political cover for pulling the safety net out from under poor women. If deadbeat dads can fork over child support—a dubious assumption in many cases—the government need not be responsible for poor families.

The defining moment of Clinton's first term—and the policy that will have the biggest impact on women—was his abolition of the federal entitlement to welfare. Health and Human Services Department officials admit that a million children will be thrown into poverty and that 8 million families with children will lose income. As these women flood the job market, it will depress the wages of a much broader group of working-class women. Whatever good will the president may have accumulated among women with modest steps on their behalf, the welfare bill clearly shows where his true interests lie.

Clinton thanks the women who voted him into office with tokens for the middle class and punishments for the poor.

Yet many feminists continue to make excuses for Clinton's invidious compromises. At the Democratic National Convention, Gloria Steinem asked, "What happened to this man who is the only president in history to know what it's like to grow up poor with a single mother?" Then she answered her own question, implying that it wasn't his fault. "What happened was an outrageous right-wing Congress," she said.

Before the election, most of the Democrats' other natural constituencies—labor, African-Americans, Latinos—faced the same dilemma that women did. Clinton was no friend of theirs, but what was the alternative? The choice was Clinton and a Democratic Party in which they had at least token representation, or Dole and a wholly hostile Republican Party.

That was then. Today things are different. We know that Clinton responds only to pressure—and the more hostile, the better he responds. Now it's time to organize for 1998 and beyond. If the women's movement wants to represent more than middle-class white women, it needs to part ways with Clinton and his friends in the Democratic Leadership Council. And that means building an independent political force both inside and out of the Democratic Party. ◀

Editor's Note: After 20 years as both editor and publisher, James Weinstein has decided to focus on editing and writing. In These Times *is looking for a new publisher. Please see our ad on page 16.*

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IN THESE TIMES
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In These Times (ISSN 0160-5992) is published biweekly by the Institute for Public Affairs, 2040 N. Milwaukee Ave., Chicago, IL 60647. Subscriptions are $36.95 a year ($59 for institutions; $61.95 Canada; $75.95 overseas). Second-class postage paid at Chicago, IL and at additional mailing offices. Postmaster: Send address changes to *In These Times*, 308 E. Hitt St., Mt. Morris, IL 61054. This issue (Vol. 21, No. 7) published Feb. 17, 1997, for newsstand sales Feb. 17-March 2, 1997. (773) 772-0100. Member: Alternative Press Syndicate. The entire contents of *In These Times* are copyright © 1997 by the Institute for Public Affairs, and may not be reproduced in any manner, either in whole or in part, without permission of the publisher. Copies of *In These Times*' contract with the National Writers Union are available upon request. Complete issues and volumes of *In These Times* are available from University Microfilms International, Ann Arbor, MI. All rights reserved. *In These Times* is indexed in both the Alternative Press Index and the Left Index. Publisher does not assume liability for unsolicited manuscripts or material. Manuscripts or material unaccompanied by stamped, self-addressed envelope will not be returned. All correspondence should be sent to: *In These Times*, 2040 N. Milwaukee Ave., Chicago, IL 60647. E-mail: itt@igc.apc.org. For customer service and to place subscription orders, call toll free: (800) 827-0270. Advertising rates sent on request. Available back issues are $5 each; specify volume and number. All letters received by *In These Times* become property of the newspaper. We reserve the right to print letters in condensed form.





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In THESE TIMES

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LETTERS

Undue praise

Your editorial "Homily for the left" (December 23) is too uncritical of the "Economic Justice for All" statement issued by the National Conference of Catholic Bishops.

The bishops take the current system as a given. They include among the rights of people to the necessities of life and decent working conditions the right to "economic initiative," clearly a reference to the capitalist mode of production. To fix an unjust economic system, they propose a combination of moral persuasion and government regulation.

What they miss, and you fail to point out, is that the profit-first mentality is a structural feature of capitalism. An individual corporation that, for moral reasons, pays higher wages or exercises environmental restraint will be buried by the competition.

Proposing electoral politics as the solution ignores the real power relationships that are involved. Bourgeois republics like the United States and its allies, while somewhat susceptible to public pressure, are inherently designed to protect the wealth and power of the ruling classes. Democratic reforms start out compromised, and then are steadily eroded by low funding and lack of enforcement. This has been true since the dawn of capitalism.

A window dressing of poorly enforced regulations and a multiracial, multigendered market economy will not alter the underlying structural exploitation that causes oppression and environmental degradation. To "construct a left capable of challenging the corporate elite," we need a revolutionary international labor movement encompassing all nonmanagement sectors of the work force, with solidarity across lines of race, gender, ethnicity and sexual orientation.

Will Beatty
San Francisco

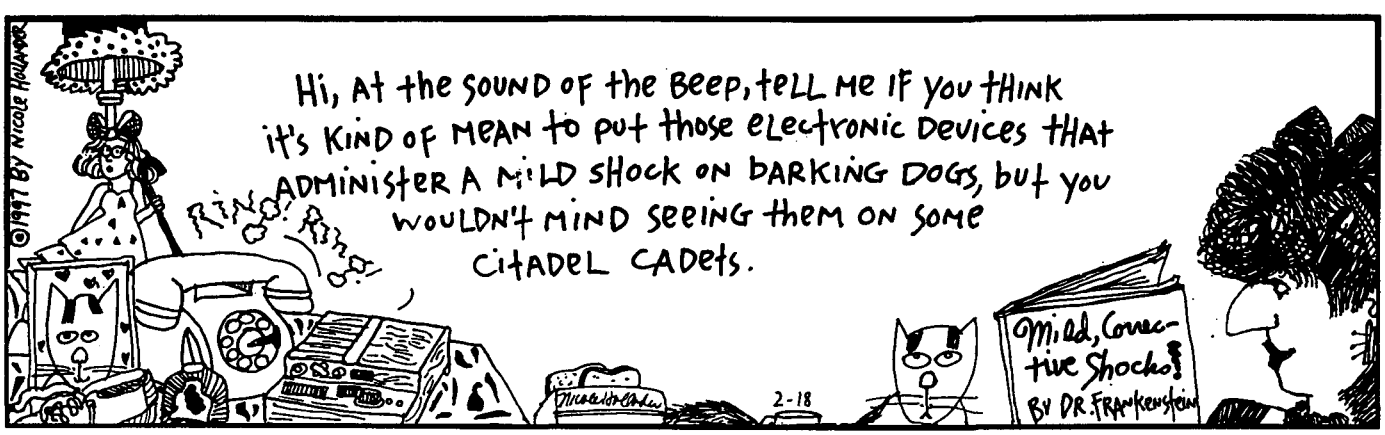
Happy homilies

I was disappointed to read your recent editorial endorsing the National Conference of Catholic Bishops' "Economic Justice for All," a document replete with the kind of muddled, moralistic happy talk the American left justly scorns. The statement lists 10 noble goals for which all decent folk ought to strive. But it conveniently elides all of the difficulties entailed in implementing these abstract ideals.

We are told, for example, that, as *ITT* phrases it, "all people have a right to life and to the necessities of life (food, shelter, education, medical care and economic security)." Unfortunately, no mention is made of the fact that the bishops also stringently oppose abortion, birth control and family planning. They are thus simultaneously proposing that all people are entitled to satisfy their "necessities" while doing nothing to rein in the global population explosion.

Such irresponsibility can only lead to what ecologists call the "tragedy of the commons." Each person is to have a right to appropriate goods privately "according to his/her needs," while the economic, social and ecological costs of doing so are borne by the community as a whole. As ecologists have shown, any system commonizing costs and privatizing benefits—any glorified "buffalo poacher's economy"—cannot possibly work for long, especially when experiencing a sustained increase in population.

SYLVIA by Nicole Hollander



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Indeed, even a massive redistribution of wealth could only postpone the tragedy of overexploitation which must result as constantly rising private "need" outstrips the finite carrying capacity of the planet. Systemic collapse, resulting in ecological devastation and mass starvation, can only be avoided if powerful institutions like national governments—and even the Catholic Church—step in to ensure that population pressures are controlled and that wasteful individual consumption is drastically constrained. Serious socialists ought to be discussing how to do these two unpalatable things in the least oppressive and unjust manner. Reiterating the soft-headed "have it all" desiderata of Catholic bishops hardly helps them do so.

Bill Fusfield
Department of Communication
University of Pittsburgh
Pittsburgh

Editor's note: We are well aware of the gap between the general principles put forward by the National Conference of Catholic Bishops and the social policies they espouse and promote, but we did not think our readers needed to have their memories refreshed in that regard. Despite the social conservatism of its hierarchy, the Catholic Church, starting in the days of feudal communalism, has a long history of opposition to the principles that underlie capitalism. The contradictory nature of the church and its ideology does not make the general principles we quoted any less compelling. It merely opens the door to discussion with Catholics committed to those principles about how to realize them in American society. In other words, the church, like the community it serves, is not monolithic, despite its arcane organizational structure. As it happens, many in the modern church take quite seriously the principles quoted in our editorial. There is a growing movement within the church (see "Catholics on the march," January 6)—centered around the ideas of Vatican II and liberation theology—that engages in struggles based at least in part on these principles.

For those interested in building a left that is more than a sectarian enclave, it is necessary to find principles we share with others. That's what Jesse Jackson calls "common ground." Without it, the left will remain a collection of individuals all too capable of pointing out the impurity of others and paralyzed by fear of losing their own chastity.



More on AIDS

Salim Muwakkil, as usual, has the best of intentions. It is just that he sometimes falls into the trap of his enemies and does their work for them. "The silent catastrophe" (November 25) is a case in point.

Yes, we are all aware of what AIDS is, has done and what it may do in the future. Regrettably, we are not that aware of how AIDS has been used by establishment America, for almost two decades now, to keep us off balance.

In 1981, with barely 1,500 cases of that then mysterious disease known, Ronald Reagan and his people declared it our "number one health crisis," just as Muwakkil misstated it in his article. Over the next administrations, AIDS grabbed our attention as we continued to go without universal health care and as just about every social gain from FDR's New Deal was gutted. By the end of the '80s, just as many children died of ordinary measles from a lack of innoculations as died from HIV.

Jeffrey Reynolds ("How to sell an American quilt," November 25) adds to the myth. He talks about the "scant attention given to this century's worst public-health disaster." AIDS, however, kills one-tenth the number of people who die from the scourge of cancer and heart diseases, which also disproportionately strike the poor. We have no quilts for those victims.

This century's worst disaster? Reynolds did not do his homework. In 1918, over the course of just one year, more than 500,000 people in the United States and over 20 million worldwide died from the flu. Talk about disasters. America remains the world's only developed nation without comprehensive health care for its people. That is the message of AIDS. Look at the forest, not the trees.

Don Sloan, MD
New York City

Correction

Due to an editing error, we mistakenly reported ("Is NAFTA trucking jobs south?" February 3) that a UCLA study attributed the loss of 28,168 American jobs to increased exports under NAFTA. According to the report, these jobs were lost to increased imports.

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InSHORT



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Hong Kong braces for a crackdown

It's become clear that China plans to brook no opposition in Hong Kong once it assumes sovereignty on July 1. For months, China's friends and backers in the local business community have sought to reassure Hong Kong residents that their rights will be guaranteed under the so-called Basic Law, which China's National People's Congress enacted in 1991 to serve as the legal framework for Chinese rule. But a rash of troubling events in recent weeks suggests otherwise.

On December 11, police arrested 29 demonstrators on the street outside the Exhibition Hall on Hong Kong Island, where a special Selection Committee, composed of pro-Beijing Hong Kong notables hand-picked by Chinese officials, chose shipping tycoon Tung Chee-hwa to serve as first chief executive of the Special Administrative Region, as Hong Kong will be known after the handover. Hundreds of police, in the past good-natured at demonstrations by local democracy activists, this time were grim-faced and confrontational. Among those arrested and dragged to waiting police vans were several elected members of Hong Kong's Legislative Council, which will be dissolved on July 1 and replaced with an appointed "provisional" legislature.

Two weeks later, on December 22, the same Selection Committee met in Shenzhen, a Chinese boom town across the border from Hong Kong, to choose the 60 members of the future provisional legislature. Although they maintained full control over the Selection Committee and the selection procedure, Chinese officials left nothing to chance. To the chuckles of watching reporters, Selection Committee Chair and Chinese Foreign Minister Qian Qiqian reminded committee members of whom Beijing wanted picked: all acceptable, pro-Beijing sitting council members and few or none of the pro-China losers in Hong Kong's 1995 Legislative Council election.

When Qian announced that booths had been erected to provide voting privacy, committee members looked at each other uncomfortably. None dared to take the lead, so all 399 voted at their seats, their choices visible to neighbors. The committee nonetheless elected a few of the 1995 losers. However, it mostly endorsed Beijing's desired outcome: a group of big-league capitalists with investments on the mainland.

Worse news came on February 1, when the Preparatory Committee, a Beijing-appointed group working on handover issues, voted to annul most of Hong Kong's Bill of Rights ordinance—a popular law passed in 1991 in the wake of the Tiananmen massacre—and to revive a number of repressive colonial ordinances scrapped by the Hong Kong government in recent years.

Mary Stuart Worden, an aide to Hong Kong Democratic Party Chair Martin Lee, predicts a major crackdown on activists after the handover. The party, by far the largest and

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most popular in Hong Kong, expects its funding to be attacked, its academic members to lose their tenured university jobs, and its supporters to be intimidated. "Our strategy after July 1 will be to keep the democracy movement and the Democratic Party alive," Worden says. "Our best hope is that the world will be watching and will keep pressure on China, but it's a slim hope. The Western democracies, including the United States, have not been profiles in courage when it comes to standing up to China. No one wants to jeopardize trade relations."

Party leaders, Worden says, hope international pressure will force China to fulfill its promise to hold new legislative elections a year after the handover. "Even if they rig the elections and the districts, we think we will win," she says, noting that in 1995 the democratic parties won every race they contested.

The looming struggle for democracy and human rights in Hong Kong threatens to be a major foreign policy challenge for the Clinton administration, which has been unwilling to seriously pressure China. However, Hong Kong's democrats, unlike China's embattled dissidents, have many friends and relatives in the United States. If mobilized, they will be hard to ignore.

—Dave Lindorff

Trade war over Burma

A national grass-roots campaign against corporations that invest in Burma has heated up in recent weeks, provoking the European Union and the Japanese to rattle their sabers in what could turn into a trade war.

The EU and Japan take exception to an ordinance enacted by the state of Massachusetts in June that bars state agencies from contracting with companies that do business in Burma. *In These Times* has obtained a January 22 letter from the EU to the U.S. State Department insisting that the law is an infringement of free trade. The letter threatened that the EU may appeal the case to the World Trade Organization in Geneva. Representatives from the Japanese consulate in Boston have also exerted pressure on the state, threatening to approach the WTO, according to Massachusetts officials.

In the last year, Massachusetts and 10 cities, including San Francisco and Oakland, Calif., have adopted local ordinances that bar business with Burma or financially penalize companies that invest there. The Massachusetts legislature is also considering a law aimed at companies that invest in Indonesia, which has a history of human rights abuses in East Timor even worse than that of Burma's military regime.

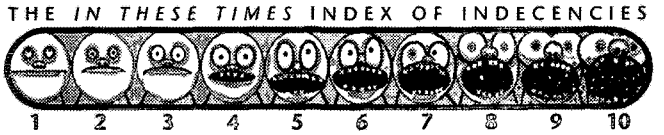
As a result of Massachusetts' restrictions, Apple Computer pulled out of Burma in October, followed shortly thereafter by Hewlett-Packard, Motorola and Eastman Kodak. Now the ordinances, known as selective-purchasing laws, threaten powerful multinational corporations such as Los Angeles-based Unocal and France's Total, who will reported-

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APPALL-O-METER

THE *IN THESE TIMES* INDEX OF INDECENCIES



By David Futrelle

Hello, officer? 7.6



Mexico City cops apparently racked up such high bills calling phone-sex lines on police station phones that the telephone company cut off police emergency telephone service in several neighborhoods for more than a week, Reuters reports. Angry residents complained that "they had witnessed several robberies and other crimes but could not get through to police." A police spokeswoman told reporters that the offending officers would have to pay for the calls out of their own pockets—providing, presumably, they haven't already worn holes in them.

Marsh Attacks! 4.4

Presidents and speakers come and go, yet Washington, D.C., continues, inexorably, its slow waddle down the middle of the road, listing right. At a *Newsweek*-sponsored inaugural bash last month, Republican hired gun Tony Blankly told two intrepid *New York Observer* reporters the secret to Washington's success: The city's very much like a certain lowbrow dessert food. "Washington is like a giant marshmallow," he explained. "It's hard to puncture the marshmallow. This town's not a gladiator. If you're the conquering hero, it's not gonna challenge you. It plays rope-a-dope with you. You punch away, and pretty soon your arms get tired, and you stop, and the great marshmallow absorbs you, and it goes on."

War of the sexes 6.8

Among the new titles on offer from the 1997 catalog of Loompanics Unlimited, "publishers [and] sellers of unusual books": *Spying on Your Spouse*, *How to Dump Your Wife* and *A Man's Guide to Advertising for a Woman*. More advanced readers may wish to move on to several titles from the catalog's backlist: Dick Hart's *Screw the Bitch: Divorce Tactics for Men* and R. Don Steele's *How to Date Young Women*, which teaches would-be swingers, among other things, "how to spot a cockteaser, then use her to meet her girlfriends." If none of these work out quite right, customers might want to pick up another book from the backlist: A.R. Bowman's *Be Your Own Undertaker*.

To err is Aryan 4.2

According to London's *Daily Telegraph*, American militias have decided to clean up their image by squealing on alleged neo-Nazi terrorists. Lately, for instance, they've been trying to convince the world that Aryan Republican Army "soldier" Michael Brescia is the mysterious John Doe No. 2 in the Oklahoma City bombing case. "The white supremacists are exceedingly dangerous," Arlin Adams, self-described coordinator of something called 1 Psy-Ops Company of the Southeastern Command, told the *Telegraph*. "What they're trying to do is provoke government repression against the militias, hoping to exploit anarchy to tear away territory for a neo-Nazi state." His group, on the other hand, is trying to provoke government repression against the neo-Nazis, hoping to ... well, we're not quite sure just what they're hoping to do.

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THE BIG PICTURE

by Jessica Abel



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Want a peace dividend?

IN THE EARLY '80s, THE NUCLEAR FREEZE CAMPAIGN HELPED SPARK A PUBLIC UPRISING against the arms race by putting the issue on the agenda of communities across the nation. Using the campaign's strategies as a model, ice cream baron Ben Cohen and Vermont Democratic state Sen. Jean Ankeney hope to ignite a nationwide movement to make the peace dividend a reality. In the next two months, Vermont's Senate and House will consider a resolution that calls for the president and Congress to cut the military budget and redirect the savings to the states. The resolution has been sent to Vermont's 251 towns, many of which will place the issue on the agenda of their annual town meetings in March. Burlington Mayor Peter Clavelle plans to put the resolution before the U.S. Conference of Mayors meeting in June. For more information, contact Gary Ferdman at Business Leaders for Sensible Priorities, 885 2nd Ave, 7th Floor, New York, NY, 10017, or at (212) 207-9237. —Joel Bleifuss

Continued from page 7

ly share $200 million in profit from a joint venture to build a gas pipeline in Burma. The Japanese consulate responded so vehemently to Massachusetts' selective-purchasing law because 30 Japanese companies, including Mitsubishi and Toyota, showed up on the state's Burma blacklist.

"Now that these laws are hitting the companies where it hurts, the companies realize this is a serious threat to their business," says Simon Billeness, a senior analyst at the Boston-based investment firm Franklin Research and Development and coordinator of the Massachusetts Burma Roundtable, a human rights group that advocated the bill.

Burma's military junta seized power in 1988 after crushing a pro-democracy uprising led by students. Commonly known as the State Law and Order Restoration Council, or SLORC, the regime is responsible for egregious human rights violations, including torture, rape, forced labor and suppression of free speech.

The chance is "very high," says Mike Dolan of Public Citizen's Global Trade Watch, that a case considered by the WTO could result in nullification or weakening of the Massachusetts law. "Under the WTO, those kinds of laws become nontariff-based barriers, which invite WTO challenges," Dolan explains. In January 1996, the WTO threatened the United States with trade sanctions if it didn't abrogate the Clean Air Act to allow Venezuela to export gasoline that didn't meet U.S. emissions standards. Because WTO rules allow only national government representatives to dispute claims, Massachusetts will have no recourse if the Clinton administration makes a deal over its head.

The EU's missive is only the latest in a series of protests received by the State Department from foreign entities, according to Dr. Thaung Htun, the U.N. representative of Burma's exiled democratic government. The State Department's Burma desk officer would not return calls for comment.

Critics of the Burmese military regime are concerned that opposition to the Massachusetts law could not only affect existing laws but also corrode support for future selective-purchasing initiatives in other states and cities.

Human rights advocates point to the brewing trade war as evidence of the way democracy has been undermined by global free trade agreements. Afraid of retaliatory trade sanctions, nations are effectively ceding veto power over their laws to the WTO. That, says Dolan, "is the new jurisprudence of international commerce."

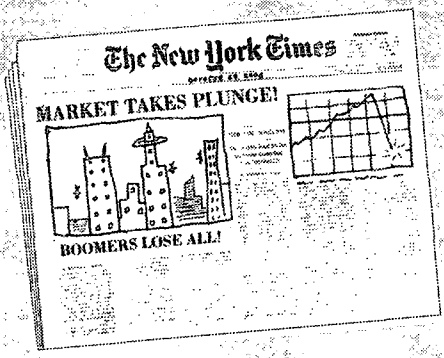
—Adam Fifield

Channel dumb

Channel One, the controversial in-school advertising system launched by marketer Chris Whittle in 1989 and now owned by K-III Communications, is a required part of the daily curriculum in some 12,000 U.S. public schools. What advertisers get from the deal is obvious. Channel One unabashedly offers to "deliver the hardest-to-reach viewers" to potential sponsors and to provide "unparalleled impact."

Will the bubble burst?

THOSE ADVOCATING THAT A PORTION OF THE SOCIAL SECURITY TRUST FUND BE invested in the stock market should heed Yale economist Robert Shiller. In a study published last summer, Shiller argued that if past performance of the stock market is any guide, the next 10 years could see real stock prices fall sharply. Shiller observed that historically, when stock prices are high relative to the previous 30 years' average earnings, prices almost always decline. Using data through January 1996, Shiller found that if this relation continues to hold, the real value of stocks should fall 38 percent by 2006. The past is not always an accurate guide to the future, Shiller allows, but "it appears that long-run investors should stay out of the market for the next ten years." —J.B.

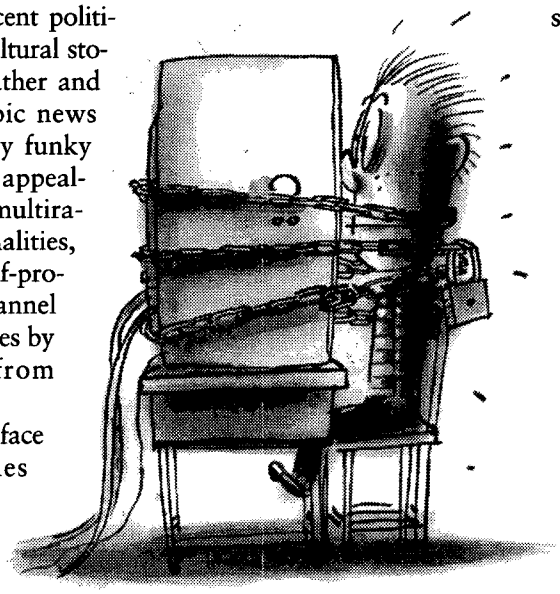


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But while the ads have been the subject of debate, little research has been done on Channel One's news content. What do the roughly 8 million teen-age viewers get from the daily 12-minute broadcasts *besides* two minutes of turbocharged come-ons for sneakers and fast food? The answer, revealed recently by the first in-depth content analysis of Channel One, is precious little.

In "News for a Captive Audience," a study sponsored by the national media watch group FAIR, Vassar sociology professor William Hoynes reports that Channel One devotes only one-fifth of its air time—or 2.4 minutes a day—to "recent political, economic, social and cultural stories other than sports, weather and disaster." This microscopic news hole is further obscured by funky music, MTV-style visuals, appealing—and conscientiously multiracial—young anchor personalities, and hefty doses of pure self-promotion in the form of Channel One contests and appearances by teachers and students from "Channel One schools."



Its racially diverse public face notwithstanding, Hoynes argues, Channel One "does little to give students resources for making sense of the complexities of racial inequality." In what little breaking-news coverage its broadcasts offer, sources are 88 percent white and 90 percent male. More than half of the black sources are either athletes (42 percent) or prisoners (13 percent). Fully 75 percent of Channel One's cultural stories are about sports.

Channel One virtually ignores questions of economics. Of the 91 stories Hoynes studied, culled from 36 broadcasts from 1995 and 1996, only three were devoted to economic issues. This is especially troubling given that the show is much more likely to air in school districts with high poverty levels, which most need the TVs and VCRs Channel One provides to schools that air its programming. For students in these districts, Hoynes argues, Channel One's "advertising becomes the principal lens through which economic questions are addressed. The implicit message is that students' relationship to the economy is solely as consumers."

Channel One was also blasted in a related report by media critic Mark Crispin Miller of Johns Hopkins University, who charged that Channel One's commercials teach teenagers "how to be stupid." Channel One's ads "discourage thinking," Miller contends, not just incidentally with distracting visuals and a manic pace, but deliberately as well, by celebrating stupidity and passivity. Many of the pitches represent life as "a series of extremely simple problems, each soluble through the immediate applications of some very smart commodity or other." Other ads prey on teens' insecurities. "*Nervous* about going back to school?" asks one commercial. "No wonder. With those *zits*." In general, Miller maintains, Channel One's ads exploit the "longing of their captive audience for freedom, independence, confidence and strength," and they do so "exclusively for profit's sake."

—Janine Jackson

Wilson's war on the poor

California Gov. Pete Wilson never walks away from an unfair fight. In 1994, he won re-election by attacking immigrants. He sought the presidency in 1996 by opposing affirmative action. For 1997, Wilson has chosen to vilify welfare recipients. Seizing an opportunity presented by last year's welfare law, which shifted federal welfare programs to the states, Wilson announced plans on January 9 to implement the nation's toughest requirements. He also sparked what may be the defining battle for California politics in 1997.

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New Party machine

THE NEW PARTY IS PUTTING DOWN MIDWEST ROOTS. ON CHICAGO'S SOUTH Side, the New Party's Chuck Kelley, once an aide to the late Mayor Harold Washington, is running for alderman in the city's 17th Ward. Kelley's opponent in the February 25 election is Terry Peterson, the ex-chief of staff of disgraced former Alderman Allan Streeter. Mayor Richard M. Daley appointed Peterson to fill Streeter's seat last year after Streeter was caught taking bribes in the FBI sting operation, Silver Shovel. The New Party faces an uphill, but not unwinnable, race against the Democratic machine. The party, with 80 members in the ward, many of whom are also active in the Service Employees International Union and the advocacy group ACORN, has begun to build a parallel precinct organization. Kelley plans to make living-wage legislation—which Peterson, like the mayor, opposes—a key campaign issue. **—J.B.**

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Wilson fired the opening salvo of the California welfare war with some characteristically misanthropic rhetoric. Welfare, he observed in his January "State of the State" speech, has forced taxpayers to "subsidize idleness [and] promiscuity," creating recipients who sit on couches at home rather than work. The childless Wilson urged counties to encourage welfare mothers to give up their children for adoption, claiming that affection alone does not justify keeping families intact.

Wilson then unveiled a plan as ruthless as his rhetoric: New welfare recipients would have only one year to get a job before losing benefits, while those currently on welfare would have only two years. Benefits would be cut by 15 percent after six months of aid, meaning that a parent and child would receive less than $300 a month. Wilson's plan would end the requirement that counties provide general assistance to single indigent adults, and it would give no funds to counties to meet the needs of legal immigrants who lose benefits under federal welfare legislation.

Wilson no doubt staked out such an extreme position on welfare so that any eventual compromise would seem moderate by comparison. Some opinion-makers appear to have fallen for Wilson's gambit. A January 26 editorial in the *San Francisco Chronicle* opined that sensible reform lies "somewhere between Wilson's mean-spirited approach and the Democrats' overly lenient path." By lenient the *Chronicle* presumably meant along the lines of Democratic state Sen. Diane Watson's proposed legislation allowing recipients to receive benefits for the full five years allowed under federal law.

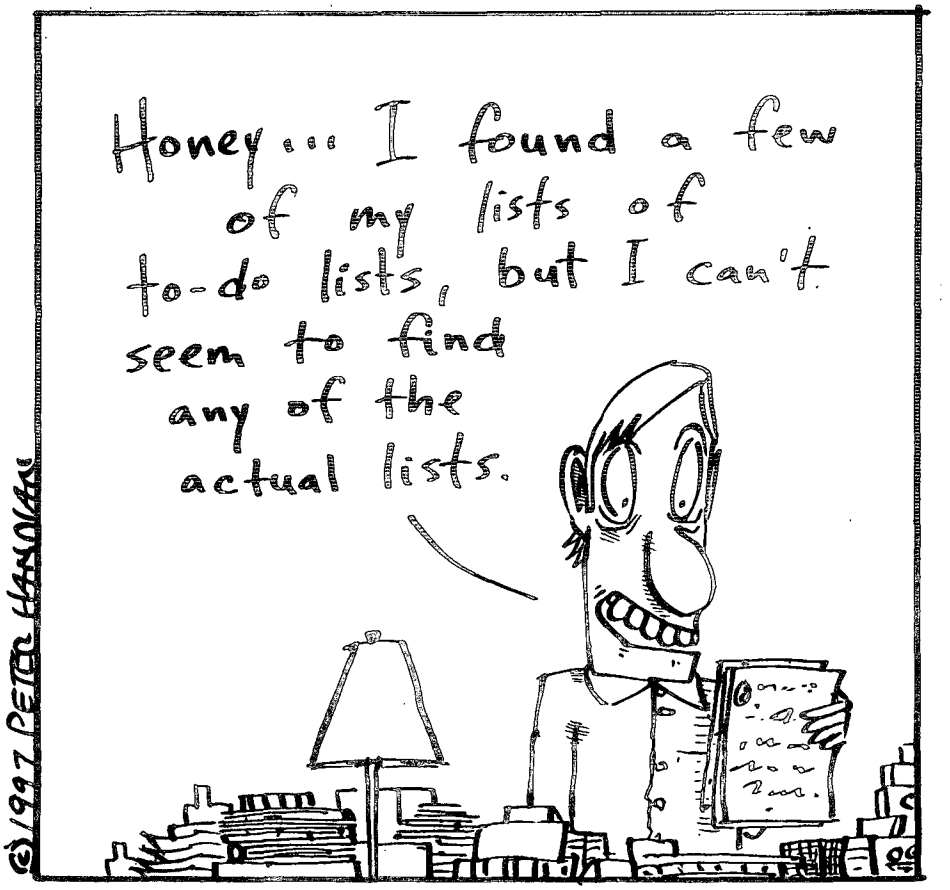
California may soon fulfill the worst-case scenario predicted by welfare-reform opponents. The state's unusually large number of legal immigrants receiving Supplemental Security Income will be left to live on an average $225 county general-assistance payment after their benefits end this summer. Furthermore, given California's 6.9 percent unemployment rate, the highest of any major industrial state, most of its 700,000 welfare recipients will probably fail to find work after being forced off the rolls. County relief will remain as the only income source for these Californians, although the state's cash-strapped counties have already started steadily reducing grant levels.

Wilson's proposal is far from a done deal. The Democratic Party regained control of the state legislature last November and has assigned the shrewd and experienced state Sen. John Burton of San Francisco to control the welfare debate. Poor people and their advocates are mobilizing to ensure that the closed-door process that led to the federal measure is not repeated at the state level.

Pressure and input from welfare recipients are critical to make sure public-sector jobs are created for those forced off the rolls, says Riva Enteen of Communities United for Equality, a coalition of Bay Area advocacy groups. "We can also expose the hypocrisy of Wilson's support of increased corporate welfare," she adds, "which legislators are hesitant to do." The final welfare plan is expected to be adopted by July.

SOURCES
Dave Lindorff writes frequently from Hong Kong for *In These Times, Business Week* and other publications.
Adam Fifield is a freelance writer based in New York.
Janine Jackson is research director at *Extra!*, a publication of FAIR.
Randy Shaw is the author of *The Activist's Handbook: A Primer for the 1990s and Beyond*, published by University of California Press.

THE ADVENTURES OF A HUGE MOUTH By Peter Hannan



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THE FIRST STONE

TO DIE FOR

By Joel Bleifuss

In the course of one day, an American woman might color her hair with Clairol Nice 'n Easy Permanent Shampoo-in Haircolor (natural medium brown); wash it with Vidal Sassoon Shampoo, Stylist Choice; cover her face with Cover Girl Replenishing Ultra-Finish Cream Makeup; rub her body with Lubriderm lotion; brush her teeth with Crest Tartar Control toothpaste; douche her vagina with Massengill Country Flowers; and then dust her crotch with Johnson & Johnson talcum powder.

By the time she concludes her beauty regimen, this woman will have absorbed into her body five chemical compounds that are known carcinogens. She also will have exposed herself four times to a group of chemicals that are often contaminated with a carcinogenic by-product or that regularly react to form a potent carcinogen during storage and use.

The Food and Drug Administration oversees the cosmetics industry, sort of. The agency divides cosmetics into 13 categories: skin care, fragrances, eye makeup, other makeup, manicure products, hair dyes, shampoos and other hair products, deodorants, shaving products, bath oils, mouthwashes, tanning products and baby products.

But while the FDA classifies, it does not regulate. An FDA document posted on the agency's World Wide Web home page explains that "a cosmetic manufacturer may use any ingredient or raw material and market the final product without government approval."

There are a few exceptions. Cosmetic manufacturers are prohibited from using seven known toxins, including hexachlorophene, mercury compounds and chloroform. As for the remaining 8,000 raw materials used in the formulation of cosmetics, the industry regulates itself.

Let's look at the products used in the beauty regimen mentioned above.

•The Clairol hair dye contains Quaternium-15, which releases carcinogenic formaldehyde, and Cocamide DEA, which can be contaminated with carcinogenic nitrosamines or react to produce a nitrosamine during storage or use.

•The Vidal Sassoon shampoo, like the hair dye, contains Cocamide DEA.

•The Cover Girl makeup contains titanium dioxide, which is carcinogenic; talc, which is a carcinogen similar to asbestos; and TEA, which, like Cocamide DEA, is associated with carcinogenic nitrosamines.

•The Lubriderm lotion contains TEA.

•The Crest toothpaste contains titanium dioxide; saccharin, which is a carcinogen; and FD&C Blue #1, which is a carcinogen.

•The Massengill douche contains FD&C Blue #1.

•The Johnson & Johnson talcum powder contains the asbestos-like mineral talc.

If the FDA deems a cosmetic product a danger to public health, it can yank it from the shelves, as it did in 1972 with acne soaps that contained hexachlorophene. But the FDA has failed to act, even as evidence mounts, on some of the most common cosmetic ingredients that double as deadly carcinogens. This raises the question: Is the FDA more concerned with protecting public health or with the bottom line of the "personal-care" industry, which rakes in $20 billion a year, mostly from women?

Among the cosmetic toxins that consumer advocates are most concerned about are nitrosamines, a group of potent carcinogens that contaminate a wide range of cosmetic products, from shampoos to hand lotions and sunscreens. One of these nitrosamines, N-nitrosodiethanolamine (NDELA), is formed when a common contaminant of such cosmetic ingredients as TEA and Cocamide DEA interacts with the nitrites that many cosmetic-makers use as preservatives.

The Cancer Prevention Coalition, a Chicago-based health-advocacy group founded by University of Illinois-Chicago pathologist Samuel Epstein, wants nitrosamine-contaminated cosmetics banned. Coalition program director Melissa Troester puts it this way: "Nitrosamines have been identified as one of the most potent classes of carcinogens, having caused cancer in more than 40 different animal species as well as in humans. The FDA should take regulatory action against companies manufacturing cosmetic products; responsible corporations should remove these avoidable contaminants from their products; and the public should boycott all products containing nitrosamines."

In the mid-'70s, the nitrosamine contamination of cooked bacon and other nitrite-treated meats became a public-health issue. Since then, the food industry, which is more strictly regulated than the cosmetic industry, has drastically lowered the amount of nitrosamines found in nitrite-processed meats. (A risk, however, may still exist. A study of children up to age 10 in Los Angeles County between 1980 and 1987 found that children who ate more than 12 hot dogs a month had nine times the normal risk of developing

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childhood leukemia.)

Today, nitrosamines contaminate cosmetics at significantly higher levels than those cooked bacon once contained. While people don't eat cosmetics, their skin absorbs the nitrosamines in products such as lotion and sunscreen. Writing in the journal *Carcinogenesis* in 1985, National Cancer Institute scientists William Lijinsky and Robert Kovatch reported that NDELA is the specific nitrosamine "to which human exposure is the greatest," since it occurs "in cosmetics" and is "absorbed readily through the skin."

In 1978, the International Agency for Research on Cancer surveyed the available research and concluded: "In view of the widespread exposure to appreciable concentrations of NDELA, efforts should be made to obtain epidemiological information. Although no epidemiological data [are] available, NDELA should be regarded for practical purposes as if it were carcinogenic to humans."



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The FDA has long known that the nitrosamines in cosmetics pose a risk to public health. On April 10, 1979, FDA Commissioner Donald Kennedy called on the cosmetic industry to "take immediate measures to eliminate, to the extent possible, NDELA and any other N-nitrosamines from cosmetic products." He went on to warn that "cosmetic products may be analyzed by the FDA for nitrosamine contamination and that individual products could be subject to enforcement action."

In the 18 years since the FDA issued that warning, cosmetics manufacturers have done little to remove nitrosamines from their products, and the FDA has done even less to ensure that the industry does so. All the while, evidence mounts that nitrosamines are a danger to public health.

In 1985, Lijinsky and Kovatch discovered that NDELA was more carcinogenic than originally thought. In a research paper titled "Induction of liver tumors in rats by NDELA at low doses," the two scientists conclude: "NDELA was at one time thought to be a 'weak' carcinogen, but recent studies have shown that it is reasonably potent. ... Not only does NDELA induce tumors over a wide range of doses, but it is a multipotent carcinogen, inducing [cancers in rats] in a number of different organs."

The FDA intermittently tests personal-care products for NDELA. In 1992, the agency found one product that contained NDELA at a concentration of 2,960 parts per billion. (The FDA keeps brand names confidential.) The European Union strictly regulates nitrosamine-producing chemicals and bans cosmetic products containing NDELA at a level of more than 50 parts per billion.

The following year, in the course of investigating sunscreens for nitrosamines, FDA chemists discovered the carcinogen NMPABAO. This nitrosamine is created when the sunscreen known as "padimate O" interacts with the nitrites in cosmetic preservatives such as BNPD.

As the FDA's Donald Havery and Hardy Chou observed in a 1992 paper presented to an American Chemical Society symposium on nitrosamines, "The FDA has conducted surveys of sunscreens and other personal-care products for NMPABAO since 1986. Analysis showed that many of the products containing padimate O also contained NMPABAO, some at elevated levels, especially when the product contained the [preservative] BNPD."

Indeed, between 1986 and 1992, the FDA tested 88 cosmetic products containing padimate O and found that 57 of those products were contaminated with the nitrosamine NMPABAO. In 1991, one product was found to contain the nitrosamine in the incredible concentration of 20,520 parts per billion. And in 1992, all 14 products tested contained the carcinogens.

Though the FDA has refused to officially address this danger, individual agency scientists are not reticent about speaking out. In their 1992 presentation to the American Chemical Society, Havery and Chou pointed out that cosmetic corporations continue to introduce new products that contain the chemical precursors of nitrosamines.

The Cancer Prevention Coalition, for example, is concerned about No-Rinse Shampoo and No-Rinse Body Bath, which were recently introduced by N/R Laboratories of Centerville, Ohio. The target market is outdoor enthusiasts who want to keep clean while camping. But such cleanliness may come at a price. The top two ingredients of these no-rinse products are TEA and Cocamide DEA, which, since they don't get rinsed off with water, are largely absorbed into the body.

The continued use of such ingredients, say Havery and Chou, contradicts what should be a social goal: keeping "human exposure to N-nitrosamines to the lowest level technologically feasible by reducing levels in all personal-care products." They add: "With the information and technology currently available to cosmetic manufacturers, N-nitrosamine levels can and should be further reduced in consumer products."

Women—and men—should demand that the FDA regulate cosmetics as it does food. And while waiting for the FDA to act, they should carefully check the ingredients on the label before they buy cosmetic chemical concoctions. ◀

Research assistance was provided by Jennifer Patterson.

Next Issue: Talc, other cosmetic toxins and FDA inaction.

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DAY CARE

The parent trap

Childcare, already a headache for working women, is about to become a chronic migraine for the poor.

By Kim Phillips

The North Side Child Development Center, a childcare center run by the Chicago YWCA that offers sliding-scale fees and accepts AFDC recipients, has seen its young clientele multiply threefold over the past 17 years. "I just wouldn't be able to work if I didn't have day care," says Carmella, a cashier at Dominick's, who leaves her 4-year-old daughter Christine at the center. "Sitters are too expensive, and I couldn't afford them. Plus, here she learns." Janet Villegas, who works in a chemical factory, used to have to hurry home to pick up her daughter from her mother's house, which always irritated her boss. She doesn't have to rush so much anymore. "She wouldn't be learning at home," she says. "Here, she says everybody's her friend." Patricia Bryant, a mother on AFDC, enrolled in college in September to study criminal justice. "I wouldn't be able to go to school without this place," she says.

All three women have found a solution in the North Side center to one of the most vexing problems facing any working family with young children: day care. The lack of quality public day care is one of the greatest roadblocks to women's full participation in the labor market, more important than pop-culture images of the cookie-baking mom or even sexual discrimination in hiring. Sure, for professional women who make enough money to hire a babysitter or shell out for Montessori, the glass ceiling and the old boys' club matter. But for working-class women, these obstacles pale in importance compared to the problem of inadequate childcare.

The inability to obtain childcare affects women's labor-force participation in two important ways. In the first place, leaving the workforce is costly. Census data from the '80s (the most recent available) indicate that a full third of women quit work or are fired during their first pregnancy. This is often because they work in semiskilled occupations that don't offer paid parental leave and don't pay enough to make day care or a babysitter a realistic possibility. If these women stay out of the labor market for six months or more, they will never catch up in income with women who work without an extended interruption, according to a September 1995 report in the *Monthly Labor Review*.

In the second place, women effectively pay in advance—in the form of lower wages—for the privilege of taking time off to raise children. Occupations like hairdressing, garment production and waitressing, in which 80 percent to 100 percent of the workers are female, tend to pay comparatively low wages. The median weekly wage is $271 for hairdressers and $251 for sewing-machine operators, as opposed to $437 for steelworkers. In addition, women are twice as likely to be part-time workers as men, and are much less likely to be union members. Occupational segregation by gender has a number of different historical causes, of course, but in a sense women's work seems to be tailor-made for people who will be moving in and out of employment, and whose incomes are no more than a supplement to the family wage.

Childcare in the United States is so expensive that it often makes more sense for one parent to stay home. (Single mothers, of course, have an even rougher time of it.) Full-time day care for a preschooler at a Montessori school in Chicago costs $710 a month. At the less upscale Lake Shore Schools center, day care costs $340 a month. That's $4,080 a year—nearly as much as most families spend on food, and more than most spend on entertainment, clothing or health care. In-home care is pretty pricey as well: Babysitters with good references, who make sure you pay their Social Security taxes, can run as high as $400 a week, and while it's hard to get exact information on illegal transactions, some babysitting agencies estimate that

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even undocumented live-in nannies cost about $400 a month.

But despite the evident need for affordable day care, anything public in this country might as well wear a sign reading "for poor people only." Public day care is provided only to very poor families—women on AFDC and families that fall beneath a certain income level, usually 75 percent of a state's median income. Prior to welfare reform, women on AFDC were guaranteed childcare if they got a job that didn't pay enough to take them off the welfare rolls, or if they went back to school. But working-poor families technically eligible for day-care subsidies were often shunted onto waiting lists, sometimes for years. In Illinois, for example, an estimated 20,000 children are on waiting lists statewide. According to a Children's Defense Fund report on childcare in Illinois, only 32 percent of eligible children are served by the state's prekindergarten program.

Of course, just because a situation is bad doesn't mean it can't get worse. The argument for terminating AFDC hinges on the conceit that the labor market can accommodate hundreds of thousands of relatively low-skilled women workers. Implicit is the notion that the children of AFDC recipients will somehow be taken care of while their mothers are at work. The welfare law does not allow exemptions from work requirements for women with children, although if a state should decide to be so gracious, it can grant exemptions for women with infants less than a year old. Under the new law, childcare guarantees for women receiving state support will be a thing of the past, even as work requirements increase the number of women who will simultaneously receive state aid and work.

Ever since childcare was made part of the AFDC entitlement package in 1988, growing demand for care has required rapid increases in public funding. State increases in childcare funding have been made possible by federal support in the form of matching grants and increased subsidies. For example, in 1990, Illinois spent $69 million on childcare programs, with 48 percent of the money coming from the federal government. In 1995, state spending rose to $285 million, with 55 percent coming from Washington. Under the new law, overall federal funding for childcare will continue to increase on an annual basis, albeit more slowly.

But since childcare is no longer a federal entitlement, it isn't clear that states will have any incentive to increase childcare funding at the same rate they have in the past, a rate which varies greatly from state to state in any case. Even in Illinois, one of the more generous states, state-funded childcare has been inaccessible to thousands of families eligible for it. Supposing that Illinois meets the new welfare law's requirement that half of all women on AFDC be in work programs in five years, how will the state provide day care for at least double the number of children who currently receive it?

Illinois' main plan for handling funding shortfalls is to raise copayments by poor families. Right now, copayments—which range from $0.25 a week, the most common amount, to $60 a week for those with incomes around the cutoff line of $26,000 for a family of three—raise about $2 million annually for the state's childcare programs. Since states don't have to present their proposals until July, it's not yet clear how much more money Illinois expects to raise with larger copayments. In Wisconsin, welfare-reform trailblazer Gov. Tommy Thompson hopes to increase copayments to 16 percent of a parent's income.



PHOTO ©1997 KIT BOYCE

Children at Chicago's North Side Child Development Center.

Illinois' fallback plan is to expand so-called "family care": childcare providers who work in their homes and earn meager salaries of, on average, $8,000 a year. Few see that as much of a solution. These providers are barely regulated; all someone needs to do to qualify is take a CPR course and have her house checked out.

The method of last resort is the same as always: asking families to help out. "Not everybody will use childcare who is eligible for it," says childcare advocate Michelle Piel, when asked how the state plans to deal with the dramatic expansion in the number of kids who need childcare. "If

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people have relatives who will care for the children without pay, they will use them."

It's true that family connections are important for poor women. But surveys reveal that instead of feeling comforted by keeping childcare in the family, many wish they could get their children into day-care centers of the sort most middle-class women use. Women usually get relatives to care for their kids only when no other options are affordable or available. During the recession of the late '80s, for example, many fathers laid off from their jobs took care of kids full time while women worked; as the recession subsided, children piled back into day-care centers as fathers went back to work. This raises another question: Even if everyone agreed that a family member is the best person to take care of tantrum-throwing toddlers, it's still unclear who all these generous stay-at-home relatives are supposed to be. After all, shouldn't they be out working, too?

In fact, the take-care-of-your-own policy is next to useless for women in most low-wage jobs. Friends and family are notoriously unreliable; they've got their own lives, their own kids and their own jobs. Maybe a family member can provide childcare 95 percent of the time. But for childcare to enable a woman to work, it needs to be 100 percent reliable. If she misses work 5 percent of the time, she'll be out of a job.

One extensive 1991 study of AFDC recipients in Illinois demonstrates how intractable this dilemma can be for poor women. At the time of the study's first survey, nearly one-third of those interviewed were either employed or in school while receiving welfare. But within 90 days, one-third of those working had quit their jobs, one-fifth of those in school had dropped out, and another one-fifth said they had been off AFDC but had gone back to it.

The reason given in most cases was problems with childcare. Despite the availability of childcare subsidies, most women depended on relatives and friends to take care of their children. Almost half of these women said they wanted to use a day-care center but found it impossible for one reason or another, such as lack of transportation or irregular work hours. One survey respondent's story was typical: "I started my first semester of college but I was only able to complete one class because my babysitter was unstable. There were times when she was tired or did not feel like babysitting. I can't keep starting something and not finishing it. I'd like to go to college and complete college, but I can't really do anything right now until my son gets a little older. My mother works, so that leaves me with nobody."

Unions know that day care is perhaps the major workplace issue for women, but they have made little progress in negotiating day-care provisions into contracts. Only 2 percent of American corporations provide day care; these tend to be large corporations such as Motorola and Eli Lilly. "We haven't been as successful as we'd like to have been," concedes Elizabeth Alameda of the Service Employees International Union.

European childcare systems put Americans to shame, in terms of both day care and the flip side of the equation, paid parental leave. In Sweden, day care is subsidized by the state and is considered very high quality; the overwhelming majority of families use public day care. The proportion of women in the labor force is 75 percent, while that of men is 79 percent; the labor-force participation rate among women with young children is 83 percent. Even the Organization for Economic Cooperation and Development, far from a champion of the welfare state, concedes that this indicates "some success in meeting the gender-equality target." Of course, high labor-force participation in Sweden isn't due only to public childcare provision. Full-employment goals and aggressive attempts to smooth out wage differentials are of equal importance. The example of France, where labor-force participation for women is only slightly higher than in the United States despite an extensive public day-care system, suggests that day care alone cannot ensure economic equality for women.

Without day care, however, any attempt to enable more women to work outside the home is sure to fail. "I just remember when I started back to work," says Lu Fenzelle, director of the North Side Child Development Center. "I had a babysitter but it was someone I didn't really trust. I would worry all the time if the kids were okay. I didn't really work at my full potential. I was always thinking, what if something happens? A lot of these parents would just not be working if we didn't have a program for them." ◀

Kim Phillips is a freelance writer based in Chicago.

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HEALTH CARE

Contraception blues

New research may yet conceive the ideal birth-control method.

By Judy Norsigian

As we approach the end of a century filled with new technological wonders, it is ironic that many women view their current birth-control options as far less than ideal. Most of us want contraceptives that are effective and dependable, have no harmful effects, involve no muss or fuss, and can be used before the time of sexual intercourse. None of the contraceptives now on the market fit the bill—unless, that is, you are a breast-feeding woman who is using the lactational amenorrhea method, or are able to use a barrier method consistently and properly.

While no magic bullets are on the horizon, there are new scientific advances that, though not yet adequately explored, have promising applications to the field of contraception. New and better birth control could help to reverse high rates of unintended pregnancy and offer greater protection against sexually transmitted diseases. Since women are more frequently asymptomatic than men after contracting an STD, this is particularly crucial for them.

By itself, though, improved contraception will change nothing. It cannot substitute for the crucial work of changing societal attitudes about birth control and sexuality, challenging the power imbalance between men and women, and ensuring that good information and a real choice of methods are available to all who want birth control.

According to a 1996 Institute of Medicine report entitled *Contraceptive Research and Development: Looking to the Future*, a number of factors can undermine the success of any new birth-control technology: "substandard health services; lack of public education; inadequate provider training; misunderstandings about risks and poor understanding about how people calculate risk; and social, cultural and religious influences on family-planning behavior." A method that sits in a drawer or that doesn't get used properly won't be effective no matter how technically advanced it is.

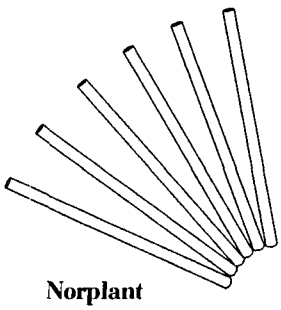
Current birth-control technology has been shaped by many factors, notably the so-called "population control" establishment, which includes government agencies, such as the U.S. Agency for International Development, as well as private institutions created with the primary mission of reducing fertility rates in less industrialized countries. Most of this research has not been motivated by an interest in helping individual women control their fertility, but rather by a desire for simple, cost-effective methods of reducing population growth.

This same desire generated quota systems in countries such as India, which rewarded family-planning workers based on how many individuals, usually women, began to use contraception. Although the quota system was criticized for many years because of the abuses it spawned, the Indian government only recently discontinued it, largely in response to urging from more enlightened staff at the World Bank.

Methods that were designed primarily for population-control purposes are seldom as safe as they should be. Problems are compounded when these methods are distributed without adequate information about potential health effects or in the absence of health care services to deal with these effects. The IUD, for example, is often used in unhygienic conditions and in places with limited access to the antibiotics necessary to treat pelvic infections. Although women's health activists and researchers repeatedly raise concerns about safety, government officials and private population institutions often discount or ignore them.

These same agencies face criticism for developing and distributing long-acting methods such as Depo-Provera and Norplant. Depo-Provera, a progestin injection, has been associated with depression, hair loss, weight gain and loss of

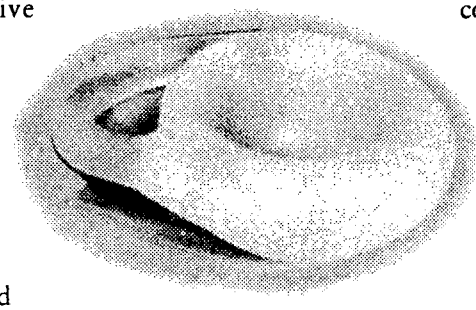
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Norplant

bone density. More than 2 million women in the United States, as well as women in Indonesia, Thailand and Brazil, have used Norplant, six progestin-filled capsules inserted into the upper arm. In other countries, family-planning providers have deemed it inappropriate or women have rejected it because of the high frequency of irregular menstrual bleeding. Even in the United States, Norplant use has plummeted in the past year. About 500 lawsuits have been filed in U.S. courts against Norplant's U.S. distributor, Wyeth-Ayerst, the Population Council and others by women claiming they suffered serious health problems, such as traumatic removal, scarring and excessive bleeding, as a result of using the method.

In the last decade or so, largely in response to vocal women's health advocates around the world, those who fund and carry out contraceptive research have taken greater care to investigate women's needs and priorities for birth control. These advocates and scientists, who historically have had little direct contact with one another, are now in more regular dialogue. The World Health Organization, for example, has sponsored meetings that bring together diverse groups of laypeople and scientists. Research initiatives, such as the Contraceptive Research and Development program, or CONRAD, have involved women's health advocates in their planning efforts as well.



Lea's Shield

The 1996 Institute of Medicine report recommends the following priority areas as part of a new "woman-centered" agenda.

•Methods that act as chemical or physical barriers to conception and to transmission of STDs, including HIV.

•Menses-inducers and once-a-month methods targeted at different points in the menstrual cycle.

•Methods for men that would expand their contraceptive choices and responsibility.

Progress has already been made in the development of new microbicides that would not be too irritating to the vaginal lining and that could prevent both pregnancy and STDs. There are new polyurethane condoms for men that transmit heat and sensation better than latex condoms. Lea's Shield, a new, one-size-fits-all silicone barrier with a valve allowing passage of cervical secretions, is in the final stages of clinical trials.

Pursuing new scientific leads requires investment, both public and private. Recently, private foundations funded CONRAD to establish a Consortium for Industrial Collaboration in Contraceptive Research. The consortium seeks to attract industry investment by offering matching grants to public-sector researchers who study early-stage contraceptive methods.

Smaller biotech companies without the deep pockets and multiple products of large pharmaceuticals—and thus less vulnerable to boycotts and other similar attacks—are sometimes more willing to sponsor research into the more controversial postcoital forms of birth control. But these companies often need partners. This is where the consortium can be helpful.

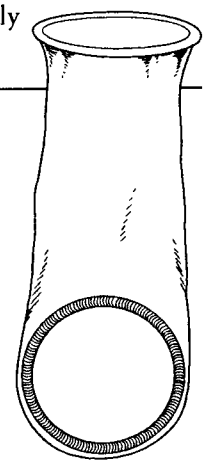
On the other hand, large pharmaceutical companies that already market birth-control pills may not be as committed to the development of new methods as long as pill sales remain so profitable. Why create competition for a cash cow? But most patents on oral contraceptives have now expired, so generic pill products will create more competition and may bring prices down. Also, if current research confirms a link between breast cancer and long-term pill use, even large pharmaceuticals might be more willing to invest in new areas of contraceptive research and development.

Government funding for birth-control research is critical. But recent federal cutbacks have put a number of promising projects on the back burner. For example, a trial of Lea's Shield requested by an FDA advisory committee has been put in jeopardy because of lack of funds. Members of Congress need to be educated about the critical public-health role played by contraception—especially those methods that protect against

The female condom

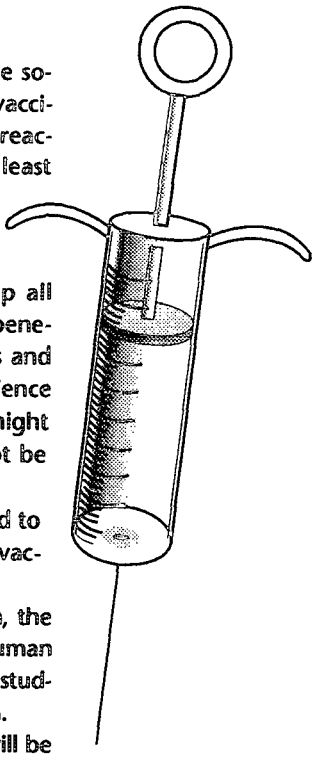
The female condom, distributed in the United States by the Female Health Company, is currently available without a prescription under the brand name Reality. As women's experiences with the method have been better disseminated, female condoms have become more popular.

Many women like the female condom because, although it requires some degree of partner cooperation, it doesn't depend on male initiative in the same way a male condom does. It is also an attractive barrier alternative for men who cannot maintain an erection long enough to don a condom. Approximately 40 percent to 60 percent of couples who try the female condom not only like it, but continue to use it. Moreover, research conducted in Thailand shows that when the female condom is made available alongside the male condom, the transmission rate of STDs is significantly reduced. —J.N.



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The contraceptive vaccine



Probably the most heated debate in the field of contraceptive research today concerns the so-called contraceptive "vaccines." The most promising type, according to researchers, is a vaccination against the female pregnancy hormone hCG. This vaccination triggers an immune reaction against the hormone and is designed, in current formulations, to prevent pregnancy for at least one year.

Research teams have been set up by the World Health Organization, the Population Council, India's National Institute of Immunology and others to explore the method.

Numerous women's health advocates have launched an international campaign to stop all immunocontraceptive research, however, arguing that the potential problems far outweigh the benefits such vaccines could offer. They worry that the vaccine might trigger autoimmune disorders and other problems for which remedies will not be available. They also worry that women who experience adverse health effects or decide for some other reason that they want to reverse the method might not be able to do so. "Switching off" an immune response, even if technically possible, may not be feasible in poor communities.

Critics also predict that the vaccine might discourage the use of barrier methods, and thus lead to greater transmission of HIV and other STDs. Lastly, they worry about the potential abuse of a vaccine, because it is a long-acting method not in the control of individual women.

Anti-fertility vaccines are not yet on the market, but clinical trials have taken place in Australia, the Dominican Republic, Brazil, Chile and other countries. A 1995 BBC documentary entitled "The Human Laboratory" featured some particularly unethical trials in India, where one vaccine continued to be studied even after women in the trial developed antibodies which acted against a hormone besides hCG.

At this point, researchers themselves disagree on the likelihood of developing a vaccine that will be able to overcome all the safety hurdles, but many argue that further investigation is still warranted, and that a safe 18-month vaccine is still a realistic possibility. Moreover, they argue, this research could result in knowledge useful in the development of chemical barrier methods that could prevent both conception and infection. —J.N.

both disease and pregnancy.

The perfect contraceptive—safe, effective and a pleasure to use—is not yet out there for most of us. Research into promising scientific leads is a long-term investment that many of our legislators don't seem to fully appreciate. Women need to be more vocal advocates for improved birth control. To get results, they may have to launch a campaign for more contraceptive research along the lines of the campaign by local and national groups calling for more funding of breast-cancer research. Meanwhile, we can do a lot better with what we have. ◀

Judy **Norsigian** is co-author of *The New Our Bodies, Ourselves* and a founder of the Boston Women's Health Book Collective.

For more information on contraception, contact National Women's Health Network, which has prepared special packets on the topic of contraception, at (202) 347-1140; and the Women's Health Information Center of the Boston Women's Health Book Collective at (617) 625-0271 or bwhbc@igc.apc.org.

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CHILD SUPPORT

On the trail of deadbeat dads

Clinton's crackdown on delinquent parents can't be expected to compensate for welfare cuts.

By Katharine Greider

The "deadbeat dad" is a character Americans love to hate. Counterpart to the welfare queen, he's the guy who thoughtlessly fathers children, then foists responsibility for their upkeep on the taxpayer. In another incarnation, he's Jeffrey Nichols, the divorced New York investment adviser who, though rolling in jack, was so determined not to pay child support that he publicly denied paternity of the three teen-age children born during his long marriage to their mother.

Political rhetoric and media shorthand have helped turn the deadbeat dad into a sort of Willie Horton, an inflammatory symbol that deepens divisions between men and women, who ultimately must raise children together. A company selling World Wide Web postings to identify deadbeat dads offers women several options, including "Find the bum for me. Blast his picture all over the world" (a three-month posting with photo, $39.95), and "I don't care how long it takes. Make him beg for mercy!" (a one-year posting, $89.95). In arguing that identification of the father should be a requirement for receiving welfare benefits, Penny Nance, legislative specialist for the conservative Concerned Women of America, chooses a term more commonly applied to livestock breeding than parenthood: "It doesn't do anybody any good to allow men to sire children and then just walk away."

"We think you might as well be a Jew in Nazi Germany as be a divorced dad in the United States," rages Bob Karls, Washington state representative for Dads Against Discrimination, one of a growing number of fathers' rights groups. "They take our children away from us and then put this thing called child support on us."

The Clinton administration claims credit for the most sweeping crackdown in history on deadbeats. Clinton portrays the initiative as, in large part, a way of offsetting taxpayers' responsibility for children on welfare. If parents paid all the child support they should, he has often said, 800,000 women and children would immediately drop from the welfare rolls. To achieve this goal, the welfare reform bill he signed last year favors sticks over carrots.

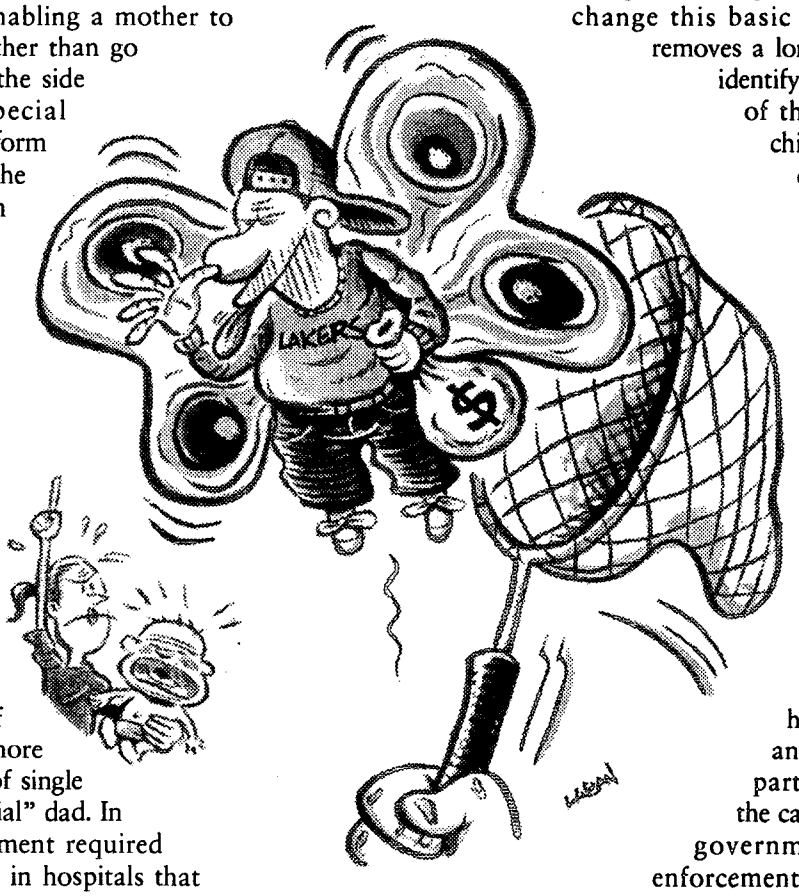
The biggest stick is the five-year lifetime limit on welfare benefits, increasing the importance of child support as a source of income for poor mothers. The new law also allows states to set specific criteria to judge whether a mother is cooperating with efforts to identify the father of her children. If she doesn't meet these criteria, state authorities can cut off benefits. Fathers delinquent in child support can lose their food stamps and be ordered into "work activities."

These measures may take some kids off welfare, but it's doubtful that they will lift many of them out of poverty. For one thing, they don't address the fact that the fathers of kids on welfare tend to be poor themselves and on average are already expected to pay a larger percentage of their income in child support than men who are better off. According to research by Elaine Sorensen at the Urban Institute, in 1990 between 29 percent and 39 percent of all fathers who didn't live with their kids were poor enough to qualify for food stamps. But this wasn't because they refused to work. Nearly 95 percent of low-income nonresident dads either worked—many of them intermittently and for an average wage of $7 per hour—or were looking for work. If some fathers are only marginally employed, others have no connection at all to the mainstream economy; roughly half the men in prisons, for instance, say they have dependent children.

Child support can't be expected to compensate for welfare cuts; "personal responsibility," however important,

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can't replace collective responsibility. But that doesn't mean child support is not worth collecting, even from poor fathers. Low-income custodial mothers are, on average, poorer than the fathers of their kids. Even a little financial help can make a big difference to these women and their children. Rutgers sociologist Kathryn Edin, author of the forthcoming book *Making Ends Meet: How Single Mothers Survive Welfare and Low-Wage Work,* conducted hundreds of in-depth interviews with poor mothers who told her that they can't make it on welfare or low-wage work alone. The most significant factor enabling a mother to hold a low-paying job rather than go on welfare and work on the side was access to some special resource, typically in the form of friends and family. "The most important person in that network," says Edin, "was the nonresident father. You have to have a nonresident father who not only is supportive and willing to pay child support but also is able."



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For unmarried mothers, legally establishing paternity is the basic prerequisite for collecting child support. Despite recent improvements in paternity establishment due to increased use of blood and genetic tests, more than half of the children of single mothers still lack an "official" dad. In 1993, the federal government required states to set up programs in hospitals that would offer unmarried parents a chance to voluntarily place the father's name on their baby's birth certificate—a noncoercive process that takes advantage of a time when most unmarried fathers are still linked to the mother of their child. In the first year that Texas implemented such a program, 57 percent of all unmarried fathers signed the birth certificate in the hospital.

But welfare reform's emphasis on inducing mothers to name the fathers of their children puts the cart before the horse. Before worrying about mothers unwilling to name their children's fathers, more resources and attention need to be devoted to those who actively want to establish their child's paternity. In Edin's study, 60 percent of mothers fully cooperated with caseworkers, "but hardly any of them got any help because the system is totally overwhelmed." A 1987 report by the General Accounting Office found that four of 10 children on welfare who needed paternity established for child-support collection didn't get it because their cases were never opened, were closed prematurely or were left open but unattended.

Sometimes a poor, unmarried mother on welfare resists formally establishing her children's paternity because she already has an unofficial arrangement that brings them some contact with their father as well as some material help, typically diapers and nonroutine expenses like school clothes. If such a woman identifies the father of her kids, his financial contribution will go to the state instead of to her. If he disappears, she gets nothing. Welfare reform doesn't change this basic equation. In fact, it removes a longstanding incentive to identify dads. In the past, $50 of the money collected in child support for children on welfare went to the mother and kids each month. The new law no longer requires states to offer this $50 "pass-through."

Advocates for noncustodial parents rightly point out that plenty of them make their payments without government arm-twisting. Of all child-support awards, about half are honored in full and another quarter are partially honored. But of the cases that go through the government's child-support enforcement office—including all welfare cases and any case referred to the office by a custodial parent asking for enforcement—only about 18 percent result in a collection.

"The trick," says Paula Roberts, a senior attorney at the Center for Law and Social Policy, "is to go after the people who have the ability to pay and simply think they're engaged in some gigantic game." For these folks, the rules of the game just got tougher. The Child Support Recovery Act of 1992 (under which the infamous Jeffrey Nichols was prosecuted) makes it a federal crime to willfully fail to pay support for a child living in another state.

The welfare-reform law also calls for the establishment of a central database in each state that records all new hires and child-support orders. These data will eventually be turned over to the federal government for inclusion in a national registry designed to help child-support enforcement workers locate delinquent parents across state lines. These workers, who typically handle hundreds of cases apiece,

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could then punch up employment information about a parent in another state, a task that now requires the cooperation of at least two separate bureaucracies.

The new law also calls for the establishment of a central office in each state for collecting and disbursing wages withheld for child support, replacing the patchwork of county-based registries that prevails in some states. In addition, states must set up a program to deny licenses—including professional, drivers', hunting and fishing licenses—to parents delinquent in child support. The Clinton administration has advised states to create "wanted" lists of deadbeat parents and display them in post offices and on the Internet.

Whether these plans work will depend, of course, on timely, competent execution by state child-support enforcement agencies, most of which still haven't met standards for computerization established by the federal government in 1988. "What you have now are 54 independently developed systems," says Roberts. "And not in my wildest science-fiction fantasy do I ever think we will find a way to hook them up together."

It is the hunt-'em-down enforcement measures—the tracking of employment information, the display of photos in post offices—that stir a potent emotional cocktail combining children, money and love ties gone sour. Everyone agrees that children need financial and emotional contributions from both parents. What they don't agree on is why so many noncustodial parents, and in particular so many nonresident fathers, play so small a role in their kids' lives.

Some advocacy groups for noncustodial fathers say it's because they're pushed away by an adversarial legal system that treats them as little more than "sperm donors and cash cows," in the words of Stuart Miller, senior legislative analyst for American Fathers' Coalition, a national umbrella organization of 250 groups. A principal complaint is that there's an ever-growing apparatus to enforce child-support awards, but no complementary method for enforcing visitation agreements. Furthermore, these groups argue, the custodial parent should be held accountable for how child-support payments are spent and the level of support should take into account the costs of raising a second family. Miller says that during his eight-year battle with his ex-wife for custody of his son, he fell behind on child support because his business flagged. "I'd show up [for visitation] and she'd slam the door in my face," he says. "Why was I reduced to a visitor in the first place? You can't treat people like dogs and expect them to act like people."

To hear others tell it, the majority of noncustodial parents targeted by the enforcement system are people who know they have a responsibility toward their kids and simply walk away. Roberts says that for all the fathers' groups' talk of emotional contributions to their children, "what they are really working on is getting the [child-support] guidelines lowered so that they have to pay less." Tough enforcement is welcomed as a way not only to increase collections, but also to send the emphatic message that it's not okay to ditch your kids.

Melody Mazanowizc is a 33-year-old mother in Bloomington, Ill., and a volunteer for the Association for Children for the Enforcement of Support, which helps custodial parents navigate the system. She now works nights as a nurse at a local hospital so she can spend days with her son, but since her divorce in 1987, she has at times had to rely on food stamps and help from family to get by. She's not sure what her ex is doing now; she's been trying to collect child support for three-and-a-half years. But she does know that he has been in the Marine Corps, and worked in construction and as a cook—and that he couldn't pick his own son out of a crowd. "Every single time I had to be so humiliated in handing over those food stamps, it was one more nudge to get something done," she says. "Because it's not fair."

It's no easy task for states to come up with guidelines on who owes what to whom—let alone on how parents should share parenting responsibilities—that can be applied fairly to a million fractious, unique situations. One has to wonder whether a public discussion that increasingly resembles a great national mud-wrestling match can be leading us in the right direction. Says Cecilia Burke, a board member of the National Child Support Enforcement Association: "When you've got the stepparents and the grandparents and the moms and the dads, all of them having advocacy groups out there, the debate gets to be more about who wins rather than what is in the best interests of the child." ◀

Katharine Greider is a freelance writer based in New York City.

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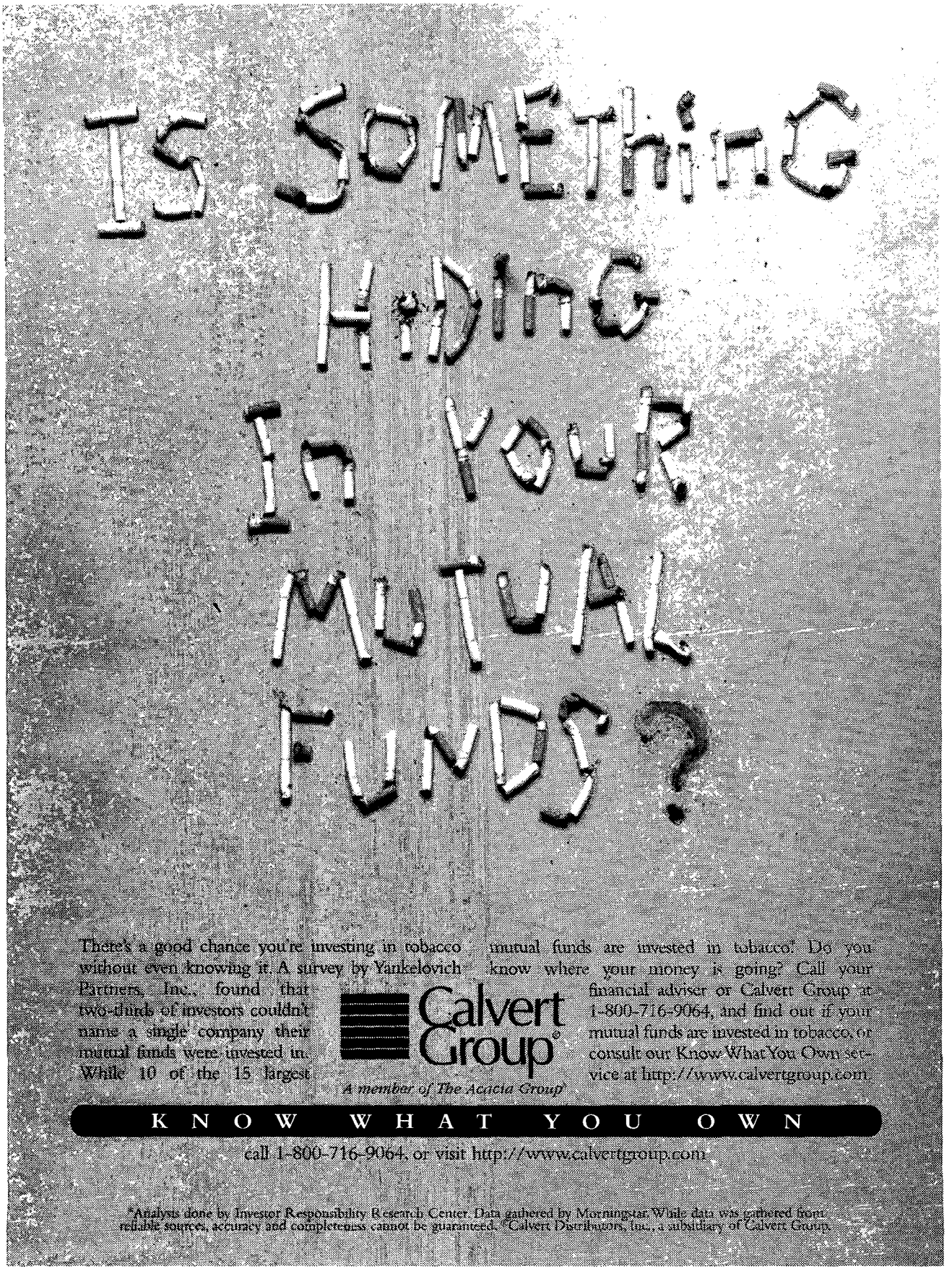
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BLACK AMERICA

Divided loyalties

African-American feminists balance the struggle against patriarchy with the goal of black unity.

By Salim Muwakkil

On October 16, 1995, as the Million Man March in Washington, D.C., concluded, I participated in a panel discussion featuring, among others, feminist theorist bell hooks. Hooks had taken a sharply critical view of the march in a number of public appearances and writings in the weeks leading up to the event, but I was unprepared for the virulent hostility she expressed that day. The march, she declared, was a "celebration of fascist patriarchy," and that was that.

In retrospect, I think hooks' combativeness was provoked by the intense criticism she had already endured from black activists for opposing the march. African-Americans across the political spectrum had embraced the event, and the few that dared to dissent publicly—including other prominent black feminists such as Angela Davis, Michele Wallace, Pearle Cleage, Kimberlé Crenshaw, Barbara Ransby and Julianne Malveaux—were bitterly ostracized for undermining black unity. Malveaux, an economist, columnist and radio commentator, wasn't just subject to verbal attacks. "My car was vandalized several times after I made some negative remarks about the Nation of Islam and [Minister Louis] Farrakhan," she recalls. "And for a while my phone calls were dominated by black men shouting personal insults."

While feminism has never been very popular in the African-American community, its stock sank even lower in the wake of the march. "Ideological principle obliged us to oppose what was the largest demonstration by African-Americans ever in this country," Malveaux notes wryly. "It's one of those ironies of history."

Black feminists have long been considered aliens in the black community. In addition to the challenge they pose to patriarchal religious traditions and institutions, they are seen by many blacks as more attuned to the interests of white women than to the struggle for black empowerment. As far as many political activists are concerned, feminism is an impediment to the more important struggle against racism; the role of black women is to aid and comfort black men as they fight white oppression.

In her 1980 book, *Black Macho and the Myth of the Superwoman*, Michele Wallace aired some of the black liberation movement's dirty laundry, frankly detailing the sexism she encountered within the ranks of activists. She wrote of sexual coercion, flagrant exploitation of labor and physical brutality, all committed "in the name of the black revolution."

Wallace's caustic exposé, one of the seminal texts of modern black feminism, inspired a number of black feminists to deal more forthrightly with issues of gender discrimination within the black community. Academics Patricia Hill Collins, Paula Giddings, Hazel Carby and hooks, and popular writers Alice Walker, Ntozake Shange and Audre Lorde forcefully defended feminism as a liberating force in the black community, unleashing the potential of black women long imprisoned within the double walls of racism and sexism. They argued it would help counter the corroding excesses of what was a brutal patriarchy for far too many African-American women. Although black men share few of the fruits of society, they do benefit from some perquisites of patriarchal culture; thus, black feminists contend, those privileges have assumed an exaggerated significance at the expense of black women.

At the same time, however, black feminists have felt some pressure to differentiate themselves from mainstream white feminism and even to soften their tone. Feminist arguments often sound shrill and coldly intellectual when compared to the warm religious undertones and communitarian

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imagery of black nationalism. It is just this contrast that led Alice Walker to coin the word "womanism." In contrast to the decadent connotations many blacks associate with the word feminism, Walker and other writers, such as Gayle Jones and Gloria Naylor, present womanism as more holistic, nurturing and concerned about the entire community. Womanists differentiate themselves from feminists by stressing organic connections to a related freedom struggle in the black community and by moderating the feminist critique of the nuclear family.



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One of the most sensitive issues facing black feminists is how to engage issues of sexual abuse and discrimination without merely adding to the demonization of black men in American society. For example, many blacks condemned Walker's Pulitzer Prize-winning epistolary novel, *The Color Purple*, for portraying black men so negatively.

"Feminist strategists seem to be especially enamored of African-American women writers who present Africana life though the favored feminist black-male-as-brute, black-woman-as-lesbian characterization," wrote Brenda Verner, the leader of a movement called Africana Womanism, in a 1995 critique of black feminism syndicated to black newspapers across the country. Verner is particularly contemptuous of black women who head feminist organizations. "These groups use the technique of choosing a black woman as leader to convince the public that their organization is nonracist," she said in a later interview. "And then they get black leaders to advise Africana women to support and promote do-it-yourself genocide through the mass abortion of black babies or join them in their fight for the latest issue on the feminist political or social agenda."

Although most blacks who oppose feminist ideas do so less for ideological than for cultural reasons, Verner's views resonate among many nationalists and other activists. And she's far from alone in arguing that denunciations of patriarchal values are out of place in communities where unwed mothers and their children make up the bulk of the population. "These black feminists are criticizing exactly what most black women in many of our communities want: strong men," says Robert Starks, a professor of political science at Northeastern Illinois University's Center for Inner City Studies and a longtime advocate in Chicago's black community. "In the Robert Taylor Homes, for example, nearly 90 percent of the apartments are occupied by poor single women and their children. They desperately want patriarchy."

Black feminist theorists counter that public policy designed to punish single mothers for their poverty, rather than help them escape it, is the primary reason for the wretched conditions of many low-income communities. Many feminist theorists lean to the political left and generally urge more government intervention in the areas of employment and vocational training. If more black men and women had jobs, they argue, there would be far fewer single-parent families.

As vital as these issues are, the negative perception of black feminists has hampered their efforts to bring their message to the larger black community. In a large-scale study of black political attitudes completed in 1994, Michael Dawson, director of the University of Chicago Center for the Study of Race, Politics and Culture, found that nearly one-third of the African-Americans surveyed thought black feminism was dangerous to the black community.

Dawson bemoans the black community's reluctance to come to grips with gender issues. "Black unity is not possible without the black community squarely addressing these issues and listening to voices that have too often been silenced," Dawson says. He is pessimistic, however, about the possibility of much change in that direction. As white Americans withdraw their support for programs and policies designed to redress the legacy of slavery and racism, blacks will likely continue to circle the wagons. "In such an embattled atmosphere, racial solidarity—not gender equality—is considered the primary value," he says.

Black feminists identify black nationalism as the major source of opposition to their ideas. While they understand the acute identity crisis afflicting the descendants of enslaved Africans, they reject the answers that black nationalism offers. "Rather than seeing the development of multiple

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black subjectivity as a positive intervention within white supremacist capitalist patriarchy," hooks writes in *Killing Rage, Ending Racism*, many black folks attempt to establish "identity politics ... rooted in a vision of separatism."

Hooks criticizes nationalism as an appeal for a "unitary representation of blackness," emphasizing "notions of authenticity that uphold a vision of patriarchal family life and nationhood as the only possible structure wherein the crisis in black identity can be resolved." By excluding women, the Million Man March reflected this view of nationalism.

Barbara Ransby, too, assails the march and its underlying nationalist message, calling it a "romanticization of black patriarchy." "Simply reasserting the black male as the natural 'head' of the family will do little to better conditions for all black people," she says. Calls for African-Americans to scrutinize themselves as the cause of their problems, rather than examine government and corporate policy, is "family-values conservatism in blackface" and a step away from the needed progressive analysis.

Although the Million Man March exacerbated the isolation of feminists within the African-American community, it also inspired some black feminists to intensify their struggle. Malveaux sees parallels between her opposition to the march and the stand that black feminists took during the 1991 confirmation hearings for Supreme Court nominee Clarence Thomas. Thomas was widely supported in the black community, and many African-Americans denounced Anita Hill, who accused Thomas of sexual harassment, for reviving old stereotypes of black men as sexually aggressive. But instead of being intimidated, black feminists entered the fray on Hill's side. More than 1,500 black women signed on as "African-American Women in Defense of Ourselves" in an ad that ran in the *New York Times* and elsewhere.

In the wake of the Million Man March, black feminists are fearlessly steering their own course. "We are pretty much out of style in these post-march days," Ransby says. "But we'll be back, once the bankruptcy of this new black activism is revealed as the conservatism it really is."

Ransby is part of a larger group of black intellectuals and organizers now mobilizing around progressive issues, including feminism. Her Chicago-based group, the Ida B. Wells Forum (named for the prominent 19th-century black anti-lynching advocate), is attempting to provide an alternative to the black nationalist ideas currently dominating the racial discourse. Manning Marable, prolific author and director of Columbia University's Institute for Research in African-American Studies, is gathering like minds in a New York-based group, coincidentally named the Ida B. Wells-Barnett/W.E.B. DuBois Network. Smaller, less celebrated collectives are sprouting up elsewhere to challenge nationalist hegemony.

Black feminists are not simply marking time waiting for the political pendulum to swing back toward a progressive agenda. "The patriarchal fantasies of resurgent black nationalism are a good target," Malveaux says, "and I'm going to spend more time trying to hit it." ◀

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LAW

When in Rome

Should the law make allowances for immigrant culture at women's expense?

By Nina Schuyler

Lincoln could not be more different from Iraq. But for the 700 Iraqi refugees who have moved there after years of persecution under Saddam Hussein and more time spent in Saudi Arabian refugee camps, the broad, flat plains of Nebraska are now home.

So no one in the Iraqi community thought twice about the November marriage of two Iraqi sisters, ages 13 and 14, to two Iraqi men, ages 28 and 34—no one, that is, except the state of Nebraska, which has charged the two grooms with statutory rape, a crime that carries a maximum sentence of 50 years. The father, who immigrated to the United States three years ago, faces two counts of child abuse, with a maximum sentence of one year in jail and a $1,000 fine. The girls' mother is charged with contributing to the delinquency of a minor, which carries the same punishment.

The case came to the state's attention when the older sister fled her new husband. The husband and the girl's father went to the police seeking help to find the girl, but were arrested instead. The legal marriage age in Nebraska is 17, and it is illegal for anyone 18 or older in the state to have sex with anyone who is under 18. The defendants are scheduled to go on trial in February.

At the crux of cases in which a foreign cultural practice collides with U.S. criminal law is the defendants' reliance on the so-called cultural defense. The defense attorneys in the Nebraska case plan to argue that the grooms and the parents were following the Iraqi custom of arranged marriages and did not think they were violating the law. According to this argument, someone raised in a foreign culture should not be held fully accountable for conduct that violates U.S. law if the act would be acceptable in his or her native culture. Foreign defendants have used this argument to win a reduced sentence or even exoneration for acts that U.S. law characterizes as assault, battery, rape, kidnap, mayhem and murder.

The cultural defense has generated debate among progressive legal scholars because it poses a difficult dilemma: Progressives support multiculturalism, but they also believe in the expansion of women's rights. The cultural defense pits these two values against each other since the victims in these cases are usually immigrant women and children.

Legal doctrine does not provide an easy answer because these cases encapsulate two competing legal traditions in U.S. criminal law. On the one hand, the law provides for individualized justice and aims to tailor punishment to a particular defendant's degree of culpability. For instance, for most crimes, if the defendant didn't think he was doing anything illegal, then society should not punish him to the full extent of the law. On the other hand, legal tradition also holds that the state must ensure equal protection from criminal conduct for all members of society. In keeping with that goal, the U.S. judicial system has never accepted the argument that ignorance of the law is an excuse.

Feminists rely on this latter legal principle to argue that cultural evidence has no place in a criminal trial. The United States offers women more civil rights than the countries from which most immigrants hail. When courts recognize cultural practices that condone crimes against women, they embrace patriarchal values about the subordinate status of women and children that feminists have worked hard to remove from the legal system. In essence, when a court allows such evidence into a criminal trial, it sets up a two-tiered legal system in which immigrant women and children receive less protection.

"The message gets sent that non-European immigrant women and children are not as worthy as European women and children," says Doriane Lambelet Coleman, a lecturer at Duke University School of Law in North Carolina and author of a 1996 *Columbia Law Review* article titled "Individualizing Justice Through Multiculturalism: The Liberals' Dilemma."

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Margaret Fung, executive director of the Asian-American Defense and Education Fund in New York, made the same point in response to an immigrant spousal-killing case. "You don't want to import [immigrant] cultural values into our judicial system," she said. "We don't want women victimized by backward customs."

After receiving heavy criticism for her remarks from the Chinese-American community, however, Fung revised her position. To bar the cultural defense "would be to promote the idea that when people come to America, they have to give up their way of doing things," she now says. "That is an idea we cannot support."

Ironically, conservatives end up on the same side as feminists, but with a simpler argument: When in Rome, do as the Romans do.

No one knows how often cultural evidence gets introduced in criminal trials, since many of the cases are plea-bargained and therefore go unreported. Nevertheless, criminal defense attorneys agree that it's on the rise.

"We've seen these cases come up around the country, and they will continue because the United States has allowed in a large number of refugees and has not given them any education about U.S. laws," says Sanford J. Pollack, the attorney representing the father of the two Iraqi girls.

Courts have let cultural evidence into all phases of the criminal trial—before indictment, during the trial to determine guilt, and in the sentencing phase. Of reported cases, most resulted in more lenient sentences than would have been expected otherwise.

• In 1988, a Hmong man from Laos kidnapped and raped an 11-year-old girl in Minnesota. The prosecutor interviewed members of the Hmong community, who explained the custom of marriage-by-capture. After these conversations, the prosecutor decided it would be difficult to convince a jury that the defendant was guilty. Instead of being charged with rape, the defendant was allowed to plead guilty to sexual intercourse with a child under 12, for which he paid a $1,000 fine and received no jail time.

• In 1987, Dong Lu Chen bludgeoned his wife to death with a claw hammer after she admitted to having been unfaithful. The New York district attorney's office charged Chen with murder in the second degree. Chen's lawyer argued that his conduct followed Chinese custom that allows husbands to dispel their shame in this way. The judge decided that the defendant "was driven to violence by traditional Chinese values about adultery and loss of manhood," and that these influences made Chen more "susceptible to cracking under the circumstances." He was found guilty of second-degree manslaughter and given five years on probation with no jail time.

• In 1986, the DeKalb, Ga., district attorney's office charged a Somali nurse with child abuse for allegedly severing her 2-year-old niece's clitoris. While cultural evidence was not decisive in the case—the nurse was acquitted because it was not clear who had done the actual cutting—the Somali community was angry that their traditional practice of female genital mutilation would be the subject of a prosecution. "The Somali woman doesn't need an alien woman telling her how to treat her private parts," says Samme Warsame,



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founder of the Somali Relief Adjustment Organization Inc. in Atlanta. "The decision must come from the Somalis." More cases of this type are likely to come before the courts in the wake of decisions by the federal government and many states last year to make genital mutilation illegal.

◦ In 1985, Japanese immigrant Fomiko Kimura drowned her two children—an infant daughter and 4-year-old son—in the Pacific Ocean after learning of her husband's infidelity. She tried to kill herself as well. Charged with first-degree murder, she introduced evidence of the Japanese custom of *oyako-shinju*, or parent-child suicide, traditionally practiced by Japanese wives dishonored by a husband's adultery. She was allowed to plead guilty to involuntary manslaughter, and got one year in jail and five years on probation.

In the Nebraska case, Terrell R. Cannon, the grooms' lawyer, says he will argue that the defendants followed their ancient tradition of arranged marriages. He contends that the U.S. Constitution guarantees freedom of religion and that the state needs a compelling interest to justify any regulation of that freedom. "They should be allowed to practice their religion in this country," he says.

Pollack, the father's attorney, emphasizes that the two girls agreed to the marriages. "I have a hundred people who will testify that the girls consented to the marriages," Pollack says. "Under Iraqi custom, if the girls consent, these are legal marriages."

But is a 13-year-old capable of giving her full consent in such a situation? "I don't care what country you are in—a 13-year-old is a child, and children should be allowed to be children," says Nancy O'Malley, senior deputy district attorney at the Alameda district attorney's office in California.

"You live in our state, you live by our laws," Lancaster County Deputy Attorney Jodi Nelson told reporters. "I have yet to find a law that states: 'Oh, and by the way, if you immigrate here from another country, none of this applies.' "

Part of the problem with cultural evidence—and a reason to move cautiously in this area—is that the possibilities for its extension are limitless. O'Malley recently prosecuted a case against an African-American woman whose infant died while in the care of her 9-year-old child. Charged with involuntary manslaughter, the mother argued that the child-care norms of the single black female parent are different from those of the middle-class white. Because of her race and gender, the woman argued, she does not earn enough to afford day care.

"She basically said, 'It's a cultural thing, and I shouldn't be held accountable for the baby's death,' " says O'Malley. "At some point, you've got to ask, 'What is culture?' "

O'Malley and others point out that a foreign country's custom or practice is not always uniform or clear-cut. A given practice may be acceptable to everyone or only to some segments of the population. Moreover, cultural norms change. For instance, when the U.S. Supreme Court outlawed segregation in public schools in *Brown vs. Board of Education* in 1954, it dramatically transformed American culture.

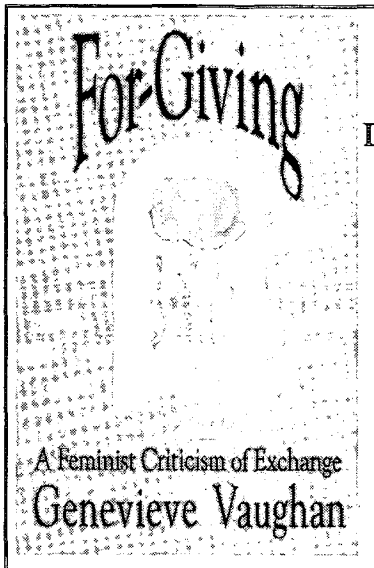
But Jacqueline Bhabha, associate director of the Center for International Studies at the University of Chicago and a lecturer at the law school, argues that cultural evidence is highly relevant in these cases. "Criminalizing people in this situation [the Nebraska case] has all sorts of drastic consequences, such as destroying the fabric of the family," she says. Rather than throwing people in jail, she says, the justice system should focus on educating refugees about the differences between their cultural practices and U.S. law.

Coleman, the law professor at Duke, says the answer in the Nebraska case and in the use of cultural evidence in general lies somewhere in the middle of this polarized debate. There is room in existing criminal-law doctrine for cultural evidence, says Coleman. If charged with murder, for instance, a foreign defendant can introduce cultural evidence as part of a conventional provocation or heat-of-passion defense.

But the most appropriate place for cultural evidence, she says, is in the sentencing phase, when criminal law focuses on the defendant's moral culpability.

"The defendants in the Nebraska case probably should be convicted," Coleman says. "They shouldn't be exonerated, as some courts have been doing by letting this evidence come in during the guilt phase of a trial, but they should not be sentenced as harshly as Americans born here." ◀

Nina Schuyler, a San Francisco-based journalist, writes frequently about legal issues.



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IN THE ARTS

Girlie shows

Today's female roles call for girls, not real women–and everyone involved seems to like it that way.

By Linda DeLibero

Since this is the Women's Issue and my task is to comment on the current state of women in film, the obvious thing to say is that the situation is still dire: There are few good roles for actresses in Hollywood, even fewer female directors, and almost no women in powerful studio positions. Yet to write this dismal reality off as a simple matter of gender discrimination is not only reductive but downright inaccurate.

The truth is that there's little correlation between the number of women film directors, writers and producers and the quality and quantity of women we see on the screen. In fact, there are more female studio bosses in Hollywood now than there have ever been; there were none during the golden studio years of the '30s and '40s, when female stars reigned supreme.

So is it a lack of audience interest? Hardly. The "mature" female audience (read: any woman over 16) is hungry enough for any material that remotely resembles "real life" to have made huge successes out of flimsy confections like *Waiting to Exhale* and *The First Wives Club*. No, there are plenty of women willing to shell out $7.50 for what used to be called women's pictures. And the films are out there, not in overwhelming numbers, but in greater quantities than we've seen in several years. On screens now in my humble little outpost of Baltimore are *Evita*, *In Love and War*, *Marvin's Room*, *Everyone Says I Love You*, *One Fine Day*, *The Preacher's Wife*, *The Portrait of a Lady*, *Mother* and *The English Patient*—certifiable women's pictures all.

So why does this list fail to console? Save for the last two, these films constitute a catalog of one-dimensional female characters—figureheads, caricatures or symbols of an idea and little else. It hardly matters whether these are creatures of a male or a female imagination. Take a look at *The Portrait of a Lady*, a film that should fit all the requirements of a discerning, educated female audience. It's an independent film by a feminist director, with a gloriously complex heroine at its center. Yet here's the sad truth: Nothing in Jane Campion's version of Henry James' great novel even comes close to the power of the original, and its portrait of the lady in question is as bereft of substance as the most calculating Hollywood concoction.

Those who blame this on the difficulties of literary adaptation must not have seen the film versions of *Turn of the Screw* (*The Innocents*) or *Washington Square* (*The Heiress*). When Cynthia Ozick complains in *The New York Times* that movies are incapable of capturing the nuances of Jamesian prose, that's the voice of the critic-on-high talking, launching yet another volley in the endless "high art/pop culture" argument. Film may communicate differently from literature, but it's certainly capable of both nuance and subtlety, as anyone willing to look beyond today's offerings can easily see. No, the blame lies squarely at Campion's feet. Unlike many of my fellow critics, I'm afraid *The Piano* left me cold, and distinctly out of sympathy with its point of view. How, I wondered, was Ada's poor Victorian husband to divine his wife's sensibilities without the benefit of a New Age guru or at least a copy of *Men are from Mars, Women are from Venus*?

But if Ada was too obviously a creature of the late 20th century to have any place in a movie set in the 19th, Henry James' novel demonstrated that Victorian Isabel Archer could convincingly reside in her century and yet speak pointedly to our own. The problem lies not in the period but in Campion's limited conception of the tangled desires that guide a woman's actions and thoughts. Ironically, she

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commits the sin that male artists have been accused of for years: When it comes to women, she reduces everything to sex. Basically, Campion's *Portrait of a Lady* boils down to the story of a girl who married the wrong man because his kiss featured a good deal more tongue than any Victorian girl had reason to expect. Finally, Isabel climbs into bed with her true mate, cousin Ralph, a sensitive guy whose only drawback as a suitor seems to be that he is too ill to tickle her erotic fancy. A crude and reductive summary? Read the book, see the film, and then tell me I'm wrong.



PHOTO ©1996 JUERGEN TELLER

The Portrait of a Lady
Directed by Jane Campion

There's another dimension to this problem, one that has less to do with Campion's one-track mind than with a common inability among contemporary films to handle the richness of lived experience. Scores of actresses have created flesh-and-blood women out of characters defined by sexual desire (or greed, or mother love, or some equally primal drive). Think of all those *film noir* femmes of the '40s and '50s: Even B-list actresses like Lizabeth Scott and Veronica Lake managed to project something more—call it sympathy, or interest, or simply maturity—that's missing from the performances of the majority of today's young actresses.

What struck me most about Nicole Kidman's Isabel was how callow she seemed. Kidman is approaching her 30s, but she might as well be a teenager at a costume ball for all the breadth of emotion she conveys. Isabel's moral seriousness and intellectual curiosity are translated into a series of visual signs and shorthand gestures: a dour countenance here, a furrowed brow there. The mature, chastened Mrs. Osmond is merely an Isabel with reddened eyes. There's not a hint of mystery or depth behind Kidman's pretty mask of a face. And more curious still, the girlish pitch of her voice never once alters or deepens, no matter how many sorrows the character undergoes. Isn't the voice an actor's primary instrument?

But try to think of another major star in her 20s or early 30s today who has a voice to be reckoned with, or who could play a grown woman convincingly. Julia Roberts? Sandra Bullock? Winona Ryder? Drew Barrymore? Meg Ryan? Pretty, talented and charming as they may be, they are all decidedly girls, not women. You might chalk it up to our culture's obsession with youth, but even the youth-fixated '60s had Faye Dunaway and Julie Christie. In the '80s, you could blame the ultimate failure of an interesting actress like Debra Winger on the reactionary material she had to choose from. But if most films today offer slim pickings for the latest generation of actresses, it's equally true that this current crop is hardly up to more substantial fare. That's best left to their elders or to character actresses, all of whom have considerably less chance of sustaining a career than someone like Roberts or Kidman. Witness Barbara Hershey's brilliant turn as Madame Merle in *Portrait*, the checkered course of her career, and the most common assessment of her performance: "She looked so *old*."

Ultimately, what's wrong with women in contemporary cinema can't be reduced to a question of gender. Take a look at the male half of the Hollywood firmament and the picture doesn't improve much. And it isn't just male audiences who've made "girl" actresses popular—women love them, too. Call it a failure of imagination among those who make the "big" films today, among those who star in them and among those who see them. Or maybe it's just a widespread need, at a time when life couldn't be more complicated, to tell only the simplest of stories. No problem goes unsolved, no mystery goes unexplained, no dark corner remains unlit. Until filmgoers—both male and female—figure out why they're so afraid of seeing something of their own lives mirrored back from the screen, neither the pictures nor the actors are likely to get much better. ◀

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IN PRINT

Mammomania

By Jennifer Schuessler

In Philip Roth's 1973 novella *The Breast*, a literature professor wakes up one morning to find that a sudden endocrinological catastrophe has somehow transformed him into a giant mammary gland. Of all possible metamorphoses, he asks himself, why this one? "Why a big brainless bag of dumb, desirable tissue, acted upon instead of acting, unguarded, immobile, hanging, *there*, as a breast simply hangs and is *there*? Why this primitive identification with *the* object of infantile veneration?"

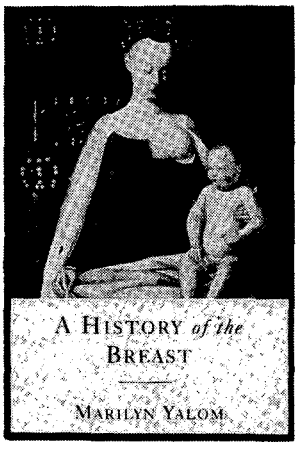
In *A History of the Breast*, Stanford gender historian Marilyn Yalom classifies these wonderings as "pure East Coast psychobabble" spoofing "the obsession of an entire generation." But for her, such questions are anything but rhetorical, and Roth's generation is just one more in a long line of Western mammomaniacs. At first glance, Yalom's book would seem to be part of the wave of histories of the body and its shifting regions of desire. (A recent example is *The Rear View*, Jean-Luc Hennig's highly salacious, annoyingly gnomic essay on another largely passive piece of pendant human flesh, to be published in English next month.) But her history is oddly untouched by the theoretical complexity that marks, for example, Foucault's investigations of sexuality (which are tellingly absent from Yalom's substantial bibliography) or, more recently, Zone Books' three-part *Fragments for a History of the Human Body*. Yalom's book sits squarely—in more than one sense of the word—in an older tradition of activist-feminist scholarship that wants to liberate women's bodies from the putative tyrannies of sex and male desire. While her previous histories have mostly centered on France, there's a distinctly Anglo, almost puritannical cast to her thinking. Put in her own terms, Yalom's approach owes more to Athena and her protective breastplate than to Aphrodite and her disturbing nakedness.

Organized around themes like "the sacred breast" and "the psychological breast" (basically, eight pages chastising Freud), Yalom's generously illustrated book is not intended as a "continuous reel of breast history." Rather, it's a "cinematic montage" of a few moments when new images of the breast captured the—need we say male?—imagination.

The slide show runs something like this: In the beginning was the Breast, bursting out of the ample bodies of Neolithic fertility fetishes, thrusting from the chests of snake-bearing Minoan goddesses, even making the occasional appearance on the torso of an Egyptian godling. But then Yahweh came and banished the Canaanite fertility idols, and Zeus took over a high spot in Greece from Gaia Olympus, "the Deep-Breasted One." In the Hebrew Bible, breasts were seen merely as an accessory to fruitful multiplication or, in the rantings of the prophets, as promiscuous flesh that the angry God would sever from the body of degenerate Israel. Only the Song of Songs "stands out like a dream of sexual pleasure in a sea of didactic scripture," writes Yalom, with a characteristic thump on the podium.

The breast hardly fared better in Christian tradition. Paintings of female martyrs like St. Agatha, who offered her severed pair on a platter, "afforded some artists an opportunity to vent their sadistic impulses on women's breasts." The 14th-century Florentine *Madonna del latte* paintings showed Mary nursing Jesus from a teat that looked almost glued on, but then her breasts were only of interest because of the little man in the picture. Mary's significance "always depended on a male more powerful than herself."

With the full flowering of the Renaissance, a wholly erotic view of the breast took hold. It became yet another globe to be conquered in the Age of Exploration and Exploitation; the male hand on the female breast became a common motif in increasingly fleshy paintings, and poets on both sides of the Channel gave the breast pride of place in their laundry lists of ideal female parts. (Though it purported to express love, Yalom explains, "Elizabethan poetry provided a medium through which men could express their negative feelings about female flesh.") Outside the realm of art, there was a cleavage, so to speak, in the Renaissance bosom. The upper-class breasts idealized in painting and verse—compact, high-riding, perfectly round—were reserved for the delectation of powerful men. The breasts of lower-class women—full, pendulous, almost bestial—were meant to satisfy the appetites of their own children and those of the rich, who usually put their children out to nurse. Yalom says nothing about the erotic life of the lower classes. Were lower-class men reduced to scavenging for their satisfactions in the barnyard?



A History of the Breast
By Marilyn Yalom
Alfred A. Knopf
331pp., $29.95

In the 18th century, an explicitly political image of the breast emerged. Wet-nursing was increasingly

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decried as unnatural and corrupting of the body politic, most prominently by Rousseau, who packed his own five illegitimate children off to a foundling hospital. When the French Revolution came, it "touched women's breasts in many ways," not all of them benign. (Yalom gave a fuller account of its probings in her 1993 book, *Blood Sisters*.) Pregnant women and nursing mothers were given increased support, and a bare-breasted woman—later christened Marianne—became the symbol of the Republic. But the new order restricted women's role in the public sphere, and an ideologically shored-up image of women as the founts of moral sustenance would remain largely in place until our own time, despite the rise of bottle-feeding and countless changes in breast fashions.

Yalom's history is credible enough in its broadest outlines, and there is no lack of appalling and titillating details. Particularly interesting, and horrifying, is her chapter on the history of breast-cancer treatment, which climaxes with Fanny Burney's harrowing account of her 1811 mastectomy, performed in her parlor with only a glass of wine for anesthesia. But when Yalom turns to more recent "breast history," her appetite for research seems to wane, and a tendency toward crude speculation—West Coast psychobabble?—nearly swallows her arguments whole.

Take, for example, her views on pornography. "Like other people who consider themselves tolerant," she writes, "I'm not generally offended by sexually explicit material"—D.H. Lawrence, say, or most magazine covers. But she's against pornography, and, despite some talk of gray areas, untroubled by the task of defining it: Its distinguishing feature is a "combination of sex and violence inflicted on a person, usually female, by another person, usually male." But Yalom's definition of violence seems dubiously broad. She gets awfully exercised about a nude model named Gail, who admits to preparing for shoots by hardening her nipples with ice. In Yalom's eyes, Gail might as well be posing for *Tit and Body Torture*. (Just wait until Yalom finds out that most ice cream featured in advertising is actually made out of Crisco.) Yalom doesn't stop at indignation. When Gail defends her profession, she "seems to be speaking for a whole generation of women who have decided to run with the money, despite suspicion that their work contributes to widespread psychological damage." But isn't the nature and extent of this damage a highly contested point, even among feminists?

And just who is Gail—Yalom's only informant on this issue—"speaking for" anyway? Footnotes reveal that her quote comes from a book of interviews published in 1979. Since then, much has been said on the subject by women of all stripes. (*Breasts*, a documentary by Meema Spadola that recently aired on the Cinemax cable channel, featured 22 women ranging from strippers to a grandmother with a double mastectomy and a 400-pound stand-up comedian—most of them topless—talking about their highly variegated breasts.) But you won't find many live female voices in Yalom's book. A research gap yawns alongside the generation gap. Rather than hack



ÉGLISE ST. LÉONARD, LÉAU. PHOTO BULLOZ



REID S. YALOM

St. Agatha undergoes an early mastectomy at the hands of the Romans (above). "Many observers ... see the nipple ring (like the Victorian corset) less as the sign of a stage of life or an erotic adornment than as a form of bodily mutilation."

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through inconvenient contradictions, Yalom takes the moldy secondhand quote and runs.

The history of breast-feeding scattered across Yalom's chapters is one of the strongest features of the book, illuminating our own anxieties about those aspects of childcare that have gone out of our own hands and into the marketplace. But again Yalom's investigations of the present are, to say the least, inadequate. She says the sharp decline in breast-feeding between 1940 and 1970 "can be attributed sheerly to the profits involved" in selling formula. Sheerly? Yalom says a few words about the medical establishment's one-time hostility to breast-feeding, but nothing about the entrance of increasing numbers of women into the work force, which is surely at least as important. Two pages later, Yalom goes on to make the equally astounding—and wholly contradictory—statement that African-American women, who are half as likely to nurse as white or Latino women, may be making a "savvy response to the demands of late capitalist America." But aren't formula-guzzling babies precisely what she has just said capitalist America wants?

This passage points to a further weakness in Yalom's book: a lack of interest in the diversity of experience even within the confines of Western culture. She pays lip service to "complex ethnic histories," but includes only a few perfunctory pages on black breasts in America: They nourished white children in the antebellum South, Sojourner Truth bared hers in front of pro-slavery hecklers who challenged her sexual identity, etc. Practically nothing is said about lesbian views of the breast, or even about straight women's erotic views of it. The "woman-authored breast poetry" she quotes is mostly about puberty, nursing and breast cancer—not about sexual pleasure. Also missing is even a passing acknowledgment that the male breast is not erotically neutral. Yalom may not like Freud, but her basic prejudices are Freudian. The drama of the breast centers on the reproductive woman who has it and the infant/male lover who wants it.

Defined in these narrow terms, cleavage, Yalom thinks,



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An upper-class woman does her maternal duty in James Gillray's 1796 drawing *The Fashionable Mamma*.

is at last being seen in its many-splendored variety. Thanks to the efforts of feminists who "wield their cameras and paintbrushes like arms in the gender war," breasts reveal themselves as "brown, white, pink, yellow, and tea-colored," resembling "lemons, oranges, and grapefruits; apples, pears, and melons; turnips and eggplants." (Apparently, the liberated breast's place is still in the produce section.) But lest we all rest easy, Yalom warns that the flood of breast images around us—not to mention the peril of nipple rings, which she sees, bizarrely, as just the latest commercial assault on the female body—may lead to "even more outlandish permutations of the Western breast fetish" in the next millennium.

What Yalom is really waiting for, in her own millennial way, is a withering away of the breast, the day when "the affect surrounding the breast will be sensibly reduced to the level of excitement produced by an attractive knee or thigh." Such a metamorphosis would hardly be less miraculous—or calamitous?—than the one that befell Philip Roth's unfortunate professor. "Save the Breast" is a slogan Yalom thinks we can all unite behind, especially in these days of increasing breast cancer. But in order to save the breast, do we have to destroy it? ◀

Jennifer Schuessler is on the staff of the *New York Review of Books*.

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The prehistory of *Roe*

By **Debbie Nathan**

When we think of abortion before *Roe vs. Wade*, we usually conjure up scenes of do-it-yourself coat-hanger jobs ending in horrible infection or even death—or for women who could afford better, blindfolded trips to shady places with anonymous "doctors" who were really bartenders. In either case, we think of women terrified, mortified and prostrate in the face of the illegality of their act.

These are apt images for the '60s, the '50s and even the '40s. But as historian Leslie Reagan demonstrates in *When Abortion Was a Crime*, to go back any further is to enter very different territory.

In a painstaking perusal of old newspapers, inquests into women's deaths and the trial transcripts of accused abortionists, Reagan shows that the Christian right is dead wrong when it insists that abortion violates traditional American morality. As recently as the Depression era, women, their doctors and even prosecutors maintained surprisingly accepting attitudes toward an act that was forbidden by law and denounced by the medical profession.

Consider Chicago in the '30s. In the heart of the Loop, practically next door to Marshall Field's, was the Gabler abortion clinic. Each week it performed dozens of procedures in a facility whose equipment rivaled that of the best hospitals. Gabler attracted patients by distributing business cards to pharmacies and beauty shops. It also received referrals from the city's most respected physicians.

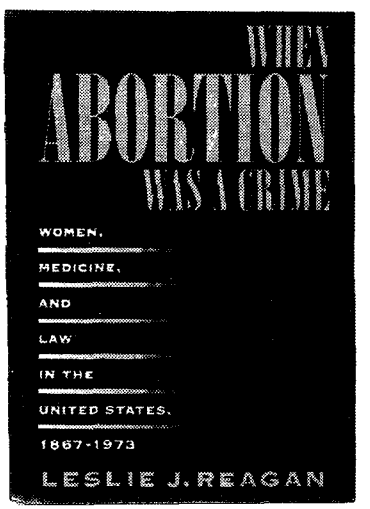
Chicago was hardly unique. Across the country, reputable doctors did abortions even in the smallest towns. The practice was so open that in Newark, N.J., thrifty young women carried cards indicating they paid dues to a benevolent association that provided cheap abortions should the need arise.

The cards and the clinic were possible because of a popular morality at loggerheads with official pronouncements. For decades after abortion was outlawed in the United States in the late 19th century, women and their families retained a matter-of-fact stance toward it. Churches nominally opposed the practice, as did medical societies. Unlike today, though, religious organizations did not politick around the issue. Many established doctors performed abortions, and law-enforcement authorities looked the other way.

Reagan begins her tale by reminding us that for centuries, Anglo-American law ignored abortion, eventually banning it only after "quickening," the moment, well into the second trimester of pregnancy, when a woman first feels fetal movement. Traditionally, it was not doctors or ministers but women who determined the exact moment when life began. By 1867, however, newly professionalizing and mostly male doctors had helped to usurp feminine morality by pressuring the government to ban abortion from conception. Nonetheless, well into the '20s, most women still felt they were doing nothing wrong when they aborted before quickening. The U.S. birth-control movement was loathe to admit it, but in the early 20th century, women, particularly wives with children, used abortion as a form of contraception.

If they could afford it, women had abortions with plenty of help, and not just from midwives, but also from reputable physicians. Reagan's perusal of legal records demonstrates that many established doctors performed abortions in their offices and in patients' homes, despite staunch opposition from organizations like the American Medical Association. This alliance between individual physicians and their women patients was possible because doctors still practiced in one-man offices and made house calls. In families, wives and mothers called the doctor and paid his bill. If a physician wanted to be asked back to treat the next illness, he had to get along with women. In trying to do so, many doctors came to empathize with their female patients' need for abortion.

At the same time, other doctors toed their profession's anti-abortion line. When women died from botched abortions, local medical societies helped prosecutors gather evidence—typically against midwives, but sometimes against physicians as well. Juries usually refused to convict these defendants; even so, the dead woman's female friends and kin were forced into court to give intimate details about her body and sex life. Abortions in which the woman did not die—the vast majority—almost never led to prosecution. In any case, neither legal sanctions nor health risks had much effect on women's decisions to end a pregnancy. With antibiotics still a decade away, women who could pay for professional help found that ending a pregnancy was scarcely more dangerous than delivering a baby at term.



When Abortion was a Crime: Women, Medicine, and Law in the United States, 1867-1973
By Leslie J. Reagan
University of California Press
387 pp., $29.95

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Much of this changed during the Depression. Amid grinding poverty, women increasingly aborted themselves, and more and more ended up in the septic wards of the new urban hospitals. Many doctors in these institutions came to see abortion as a "therapeutic" treatment for the economic sufferings of mothers and families. Society at large mostly shared this judgement—thus the well-advertised clinics, the informal insurance policies, and police who looked the other way.

World War II to the early '70s is the period we remember. Not coincidentally, Reagan reminds us, this is also when white women began entering the labor force in droves and many unmarried women began seeking abortions. In the past, most patients had been wives with families, and society pitied them as self-sacrificing mothers trying to make a better life for the children they already had. Now, bachelorette Rosie the Riveter was having abortions—and by implication sex—strictly for her own benefit.

Beginning in the '40s, the medical profession and the government formed a virulent anti-abortion alliance. The police began raiding clinics and dragging patients into stations for pelvic exams. Doctors who had done abortions unmolested for years were arrested. Hospitals established committees to monopolize decision-making about who did and didn't deserve an abortion. Only a very few affluent, and mostly white, women could afford the psychiatric scrutiny needed to certify them as worthy. Everyone else got the blindfolded rides, the terror and the humiliation—or, if they were poor, the often fatal do-it-yourself procedures.

This near-overnight transformation shouldn't surprise us—not after what we've learned from work like Stephanie Coontz's *The Way We Never Were*, which ought to be kept on the shelf right next to *When Abortion Was a Crime*. As Coontz shows, increasing female independence and changing gender roles sparked a perverse reaction in the '50s that cosseted women in ways not seen since the Victorian era. In its wake, we got pronatalism, enforced housewifery, the feminine mystique and, as Reagan reminds us, McCarthyite paranoia that branded as communist anyone who supported abortion reform.

At the same time, middle-class wives continued to leave home to work, and single women put off marriage in order to pursue jobs and higher education. The postwar boom, with its seemingly endless demand for labor and its commercialization of traditional household tasks, practically required that women leave the home. Reagan doesn't have much to say about these trends, but if you read her along with Coontz, it's clear that the marketplace as well as '60s feminism demanded that women control their own fertility.

Physicians, meanwhile, were changing their attitudes about abortion. Draconian suppression was once again bringing doctors face to face with abortion-related infection and death. Obstetricians and gynecologists grew increasingly offended at the denial of what they saw as their right to decide when an abortion was medically indicated. By 1968, the American College of Obstetricians and Gynecologists favored the liberalization of abortion laws. Psychiatrists, the new liberal wing of the medical profession, called for outright repeal. When doctors nationwide were polled the next year, most agreed.

Physicians did not make this shift on their own. They were steered toward it by the women's movement, which advocated total repeal of the criminal abortion laws, based on a woman's right to control her own reproductive life. The alliance between feminists and the medical profession is the crucial prehistory of *Roe*. Feminist lawyers were only successful in making their case when they framed it in terms of medical autonomy: They argued that doctors had a professional prerogative to decide when abortion was appropriate.

The legal importance of the woman-doctor alliance is tellingly illustrated by the wording of *Roe vs. Wade*. In its finding for the plaintiff, the Supreme Court rejected the argument that criminal abortion laws discriminated against poor women. But the judges did hold that in the first trimester of pregnancy, "the attending physician, in consultation with his patient, is free to determine, without regulation by the State, that, in his medical judgment, the patient's pregnancy should be terminated." *Roe* thus put abortion into physicians' hands as well as women's, and subjected the rights of the latter to technologically based measures of fetal "viability."

Reagan worries that the bargain abortion-rights advocates struck with the medical profession may have been a Faustian one. Today, only 12 percent of ob-gyn residents are trained to do even a simple first-trimester abortion. Hospitals, meanwhile, are generally unwilling to house abortion facilities; this leaves abortion doctors ghettoized in free-standing clinics that are easy prey for Operation Rescue-style harassment. More ominously, medical personnel have helped police charge drug- or alcohol-addicted pregnant women with "child abuse" of fetuses in utero. Given these trends, Reagan fears that if abortion were outlawed, women could be subjected to high-tech state and medical surveillance of their reproductive systems, including the ultrasounding of wombs after reports of miscarriage.

Even if abortion is never again outlawed in this country, there are important lessons to be drawn from Reagan's history. Though doctors' professional autonomy opens space for women to circumvent legal restrictions on abortion, doctors—even "in consultation with" their patients—shouldn't dominate the discussion of reproductive rights and wrongs. Female equality simply cannot exist without legal, universally available abortion. But as long as that right is deemed merely a matter of privacy, countless women, such as those too poor to afford a doctor, will be left powerless to control their reproductive lives. ◀

Debbie Nathan is an El Paso-based writer. Her most recent book, co-authored with Michael Snedeker, is *Satan's Silence: Ritual Abuse and the Making of a Modern American Witchhunt* (Basic Books).

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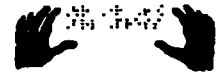
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involved in the moment-by-moment location of the stylized pig bladder that serves as a ball. Long ago I learned that even male fans only feign their interest in the outcome. If they really cared, they would do more than lie on the sofa, punching the air and uttering guttural encouragement to the television set. "If this is so important to you," I once challenged a significant other, "why don't you rush over to the stadium and help out?"

The players themselves aren't all that serious about winning either, otherwise they wouldn't put up with the ridiculous rules limiting their ability to kick and stab, gouge and bite, as the occasion demands. Football should take its cue from boxing, which is already evolving into "extreme" or "ultimate" fighting that allows almost any form of interpersonal damage. Just think how much more vivid and compelling, and mercifully brief, the Super Bowl experience would be if the players carried even the most archaic of weapons—maces, pikes, chains and crossbows, for example.

Or perhaps the Super Bowl would become more palatable if the networks made an effort to "feminize" it, as NBC did to last summer's Olympics. I, for one, would have appreciated knowing a little about Brett Favre's marital difficulties, past struggles with bulimia and wheelchair-bound siblings, if any. But even the most dramatic, potentially tear-jerking event of this year's Super Bowl—the death of bungee-jumper Dinky Patterson during rehearsals for the halftime extravaganza—went unnoted except for a brief black-and-white commemoration squeezed between commercials for soft drinks and credit cards. It would have been nice to have one of those gauzy little bios NBC was so good at, showing her rise through the bungee-jumping ranks and, ideally, also her fall—at the very least, a tastefully drawn outline of her body at the spot where she splattered down.

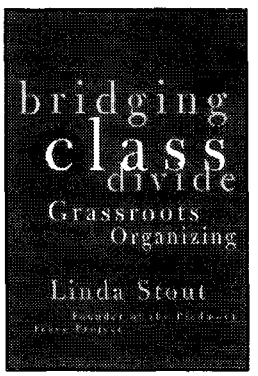
If the game doesn't hold your attention, there are always the Super Bowl commercials, justly celebrated as the year's most novel and fetching, and generously studded throughout the "plays." Any feminist of a deconstructionist bent will find her work cut out for her here. I could not tell you, for example, who played in the 1995 Super Bowl, but the year still stands out in my mind for the Doritos commercial starring defeated governors Mario Cuomo and Ann Richards pecking away at the chips. Thus did Frito-Lay announce the death of liberalism and the triumph of the market over the last vestige of personal principle.

This year's humiliated celebrity was Bob Dole, or perhaps I should say "Bob Dole," since he was playing the part of himself among people playing at being residents of Russell, Kan. He did a stand-up job for Visa, I am happy to report, just as he has done for Air France and milk, and much more convincing than his efforts on behalf of the Republican Party. I like to think that I am personally immune from such mortifications, due to my steadfast principles, not to mention paucity of name recognition. But then out came Fred Astaire, who is certifiably dead, dancing with a Dirt Devil vacuum cleaner, and I realized there is no haven in this heartlessly exploitative world, not even the grave. Many years after my own demise, some archival footage of me orating about the evils of capitalism will no doubt be colorized and dubbed in with an endorsement of Zantac.

Not to worry, there is a countertrend afoot: Celebrities are getting a run for their money from animals employed to endorse featured Super Bowl products. It all started two years ago, with those dipsomaniacal frogs spelling out B-U-D. This year a veritable menagerie of high-profile animal endorsers turned up on screen. Bears danced; roosters strutted; a well-known piggie assaulted the gorgeous young (human) male who was attempting to drink from her Pepsi can. So we may never have to see Bill hawking Burger King or Hillary pushing iron-rich nutritional supplements after all—unless, of course, they beat out the cockatoos and gerbils in the auditions.

But it is a mistake, ladies, to take any aspect of the Super Bowl spectacle too seriously. According to a recent issue of *Newsweek*, the Super Bowl is more than a game, or even a preview of forthcoming commercials; it is fast becoming "our pre-eminent secular holiday." And holidays, you will recall, need have no more relation to the events that originally inspired them than Tickle Me Elmo has to the martyred Jesus. Why, I can imagine a future in which Super Bowl Sunday will be a holiday observed solely by women—as a way of celebrating the end of the football season. ◀

Barbara Ehrenreich is the author of *Blood Rites*, forthcoming from Henry Holt.



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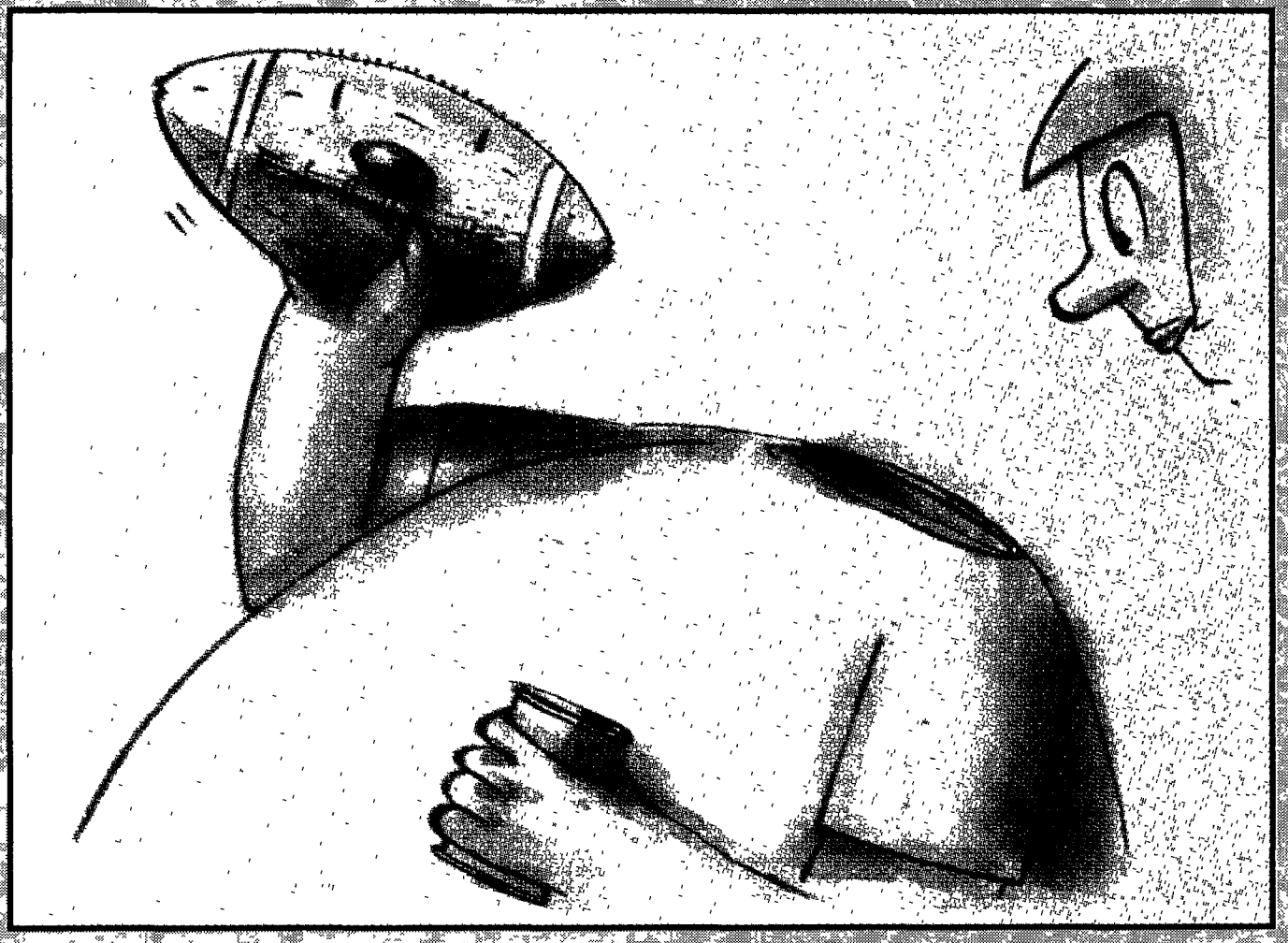
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IN THE END

Pigskin in Pink

By Barbara Ehrenreich



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The question is often asked: What does a modern woman—a feminist, presumably—make of the Super Bowl?

Gone are the days when all a woman had to do was stick her head into the den from time to time and squeal, "Oh, how deliciously homoerotic! Do they wear those little cages over their faces to keep them from actually kissing?" Nor is it acceptable any longer to saunter in for some chips, yawn ostentatiously and say, "So when does the domestic violence begin?"

These days women are fans, too—some anyway, and possibly only because they got tired of being exiled to the kitchen with nothing to do for hours on end but watch the chili work its way to a boil. In fact, football has a great deal to offer a woman, perhaps especially a feminist, or, better yet, one of those famed "man-haters" we keep hearing about.

How often are we fortunate enough to see a bunch of men confront each other in all their magnificent strength, only to collide and cancel each other out?

Nor do you actually have to follow the game, with its arcane geometry and endless interruptions, or get overly

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